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SH 2523687

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SH-AD-32A (8/17)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service Since 1850"

DATE: July 22, 2021
FILE NO:

OFFICE CORRESPONDENCE

FROM: HOLLY A. FRANCISCO, COMMANDER
DETECTIVE DIVISION

TO: JOHN P. MACDONALD, CAPTAIN
TWIN TOWERS CORRECTIONAL FACILITY

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2523687
Incident:	Non-Hit Shooting
Incident Date:	November 15, 2020
Unit:	Off-Duty
Suspect(s):	Unknown
Involved Employees:	Deputy Ryan D. Lopez, #[redacted]
EFRC Date:	July 8, 2021

The Executive Force Review Committee (EFRC) consisting of Commanders Holly A. Francisco, Alfred Reyes, and William E. Jaeger met and reviewed the above case.

FINDINGS:

The EFRC determined the use of force and tactics were out of Department policy.

The evidence in this investigation supports the following charge:

1. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/050.10, Performance to Standards; and/or 3-01/050.30, Off-Duty Incidents, on or about November 15, 2020, while off-duty and assigned to Twin Towers Correctional Facility as a Deputy Sheriff, Subject Lopez brought embarrassment upon himself, and/or the Los Angeles County Sheriff's Department when he

failed to perform to standards established for his position as deputy sheriff by failing to take appropriate action, as evidenced by, but not limited to the following:

a. failing to notify local law enforcement after encountering a hostile male, who he believed to be a possible armed gang member; and/or,

b. failing to notify local law enforcement after engaging in an exchange of gunfire with an armed suspect in a residential neighborhood; and/or,

c. failing to immediately notify the Department of an involvement in an off-duty incident.

RECOMMENDATIONS:

Based on an assessment of the mitigating and aggravating factors, the EFRC Panel recommended Subject Lopez, Ryan #[redacted], be subject to **Probationary Termination/Release.**

HAF:DJW:djw

EFRC DISPOSITION WORKSHEET

Re:	IAB IV 2535430 / SH 2523687
Subject:	Deputy Ryan D. Lopez, #[redacted]
Investigator:	Sgt. Michael Rose, Internal Affairs Bureau
Advocate:	Sgt. Brian Chase, Advocacy Unit

DISPOSITION OF CHARGES

The following charges were prepared by the Advocacy Unit. Please indicate your disposition of the potential charges, and put any additional sustained charges (with reference to the investigation) on attached sheet(s).

Potential Charge(s):

The facts in this investigation support the following charges:

1. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/050.10, Performance to Standards; and/or 3-01/050.30, Off-Duty Incidents, on or about November 15, 2020, while off-duty and assigned to Twin Towers Correctional Facility as a Deputy Sheriff, Subject Lopez brought embarrassment upon himself, and/or the Los Angeles County Sheriff's Department when he failed to perform to standards established for his position as deputy sheriff by failing to take appropriate action, as evidenced by, but not limited to the following:

    a. failing to notify local law enforcement after encountering a hostile male, who he believed to be a possible armed gang member; and/or,

    b. failing to notify local law enforcement after engaging in an exchange of gunfire with an armed suspect in a residential neighborhood; and/or,

    c. failing to immediately notify the Department of an involvement in an off-duty incident.

<u>Evidence Reference</u>

____

<u>Defenses/Conflicting Evidence</u>

____

Disposition

__X__ **Charge founded as delineated**
_____ **Charge founded as modified**
_____ **Charge unresolved**
_____ **Charge unfounded**

Discipline Assessment

Review of Applicable Guidelines for Discipline Section(s)

The Department's Guidelines for Discipline (revised August 1, 2020) lists the following Analogous misconduct with associated disciplinary penalties:

POLICY VIOLATION	DISCIPLINE RANGE
General Behavior	W/R to Discharge
Performance to Standards	W/R to Discharge
Off-Duty Incidents	W/R to Discharge

Determination of Discipline

Based upon the attached assessment of mitigating and aggravating factors, the following discipline has been determined to be appropriate. This discipline is subject to revision upon receipt of the subject's response of grievance.

_____ **Discharge**
_____ **Reduction in Rank**
_____ **Suspension with loss of pay and benefits for ___ day**
_____ **Written Reprimand**
_____ **No discipline**
__X__ **Other (Probationary termination / Release)**

Assessment of Mitigating and Aggravating Factors

The following describe the mitigating and aggravating factors in the determining the discipline in this investigation. Those factors include:

Intent	Truthfulness
Past Performance	Severity of Infraction
Degree of Culpability	Acceptance of Responsibility
Disciplinary History	Other Factors

Management has considered the subject's performance, which is documented in the Subject's Department personnel file, and those documents not contained in that file which are attached to the disposition worksheet.

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.? ☐	Hit? ☐
5/28/2021	Twin Towers Correctional Facility		

Incident Information

URN: 020-15324-0275-051	Date: 11/15/2020	Time: 0223 hours
City or Station: East Los Angeles	Nature of Incident: While off-duty, Deputy Lopez stopped his vehicle next to the suspect who was walking. The suspect fired at Deputy Lopez' vehicle. Deputy Lopez returned fire and drove away.	
Location: Hazard Avenue / Folsom Street, East Los Angeles		

Location Type (check one or more):
☐ Backyard
☐ Beach
☐ Business
☐ Freeway
☐ Industrial
☐ Park
☐ Parking Lot
☐ Residence
☐ Rural
☐ School
☑ Street
Other:

Lighting (check only one):
☐ Darkness
☐ Daylight
☐ Other
☑ Street Lights

Weather (circle only one):
☑ Clear
☐ Cloudy
☐ Fog
☐ Rain

Distance: 15 feet

Incident Type (check one or more):
☐ Accidental
☑ Armed Person
☐ Fleeing Suspect
☐ Foot Pursuit
☐ Gun Take Away
☐ Moving Vehicle
☐ Sniper/Ambush
☐ Startle
☐ Struggle Involved
☐ Traffic Stop
☐ Unarmed Person
☐ Unintentional
☐ Vehicle Pursuit
☐ Warrant Service
☐ Warning Shot
Other: Off-Duty

Initiated by (check only one):
☐ Arrest Warrant
☐ Call
☐ Observation
☐ One Person Unit
☑ Other
☐ Search Warrant
☐ Two Person Unit

Prior Activity (check only one):
☐ Detective
☐ Inmate Transport
☑ Other
☐ Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit? ☐	Canine Unit? ☐
9	4		

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name		First Name	M.I.		
[redacted]		[redacted]	[redacted]		
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: Unknown	Home Ph: [redacted]	
[redacted]		[redacted]	[redacted]		
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: Unknown	Home Ph: [redacted]	
Street Address:	City:	Zip Code:	Work Ph:	Home Ph:	

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
N/A				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
N/A				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Capece	Kimberly	D.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Escobedo	Oscar	NMN

PSTD Use Only

SH # 2523687

Officer Involved Shooting
Involved Employee Information

URN: 020-15324-0275-051

Involved Employee

E 1

Employee # [redacted]	Last Name: Lopez	First Name: Ryan	M.I.: D
Sex: M Race: H	Rank: DSG	Unit Assignment: TTCF	Work Assignment (Unit #, Module, etc.): N/A
ShiftTime (*circle only one*): [x] EM [ ] PM [ ] Day	ShiftType (*circle only one*): [ ] Regular [ ] Overtime [x] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [x]	Hospital Name: White Memorial	Coroner Case? [ ]	Coroner Case #: Interviewed? [x]
Hrs of sleep prior to shooting: 10-12	Duty Time (hrs): N/A	Clothing (*circle only one*): [x] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [ ] Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5'9"	Weight: 160 lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Smith & Wesson	Caliber: 9mm	# Shots: 9	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #: N/A	Last Name:	First Name:	M.I.:
Field Training Officer Emp #: N/A	Last Name:	First Name:	M.I.:

E /

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): [ ] EM [ ] PM [ ] Day	ShiftType (*circle only one*): [ ] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [ ]
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [ ] Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [ ]	Patrol Certification? [ ]	Certification Unit:	Prior Shootings? [ ] Number of Prior Shootings: Directed Force: [ ]
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E /

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): [ ] EM [ ] PM [ ] Day	ShiftType (*circle only one*): [ ] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [ ]
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [ ] Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [ ]	Patrol Certification? [ ]	Certification Unit:	Prior Shootings? [ ] Number of Prior Shootings: Directed Force: [ ]
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 020-15324-0275-051

Suspect Information

S 1

Last Name: Unknown		First Name: Unknown	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: H	Street Address: Unknown	City: Uknown	State & Zip Code:
Work Phone: Unknown	Home Phone: Unknown	Social Security #:	Driver's License #:
Age: 25 D.O.B.	Height: 511 Weight: 200	FBI #	CII #
Booking # N/A	Primary Charge: N/A	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used: Unknown
Armed? ☑	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: None		Model:	Year:

S /

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☑	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

Officer Involved Shooting

URN: 020-15324-0275-051

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
11/15/2020	0600 hours	5/28/2021	

Employee #	Last Name	First Name	M.I.
[redacted]	Walker II	Deryl	T
[redacted]	Maxwell	Michael	L
[redacted]	Cain	Paulette	M

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	UNK	9			GS	FE
E#1	S#1	FH	SW	9	Y	Y	NN	NN

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **OFF-DUTY, NON-HIT SHOOTING**

IAB FILE NUMBER: **SH 2523687**

URN #: **020-15324-0275-051**

DATE/TIME: **NOVEMBER 15, 2020, 0223 HOURS**

LOCATION: **HAZARD AVENUE / FOLSOM STREET, EAST LOS ANGELES, CA 90063**

SUMMARY

On November 15, 2020, an Internal Affairs Bureau (IAB) Force/Shooting Response Team comprised of Lieutenant Deryl Walker, Sergeants Michael Maxwell, and Paulette Cain, along with representatives from the Training Bureau and Risk Management Bureau, responded to a command post at the Eugene Biscailuz Training Center, the unincorporated area of East Los Angeles, regarding an off-duty, deputy-involved shooting. An Office of the Inspector General (OIG) representative was present and participated in the briefing and walk-through conducted by Homicide Bureau Lieutenant Derrick Alfred, #[redacted] A representative from the Los Angeles County District Attorney's Justice System Integrity Division (JSID) did not respond.

The off-duty deputy-involved shooting incident involved Deputy Ryan Lopez (involved employee) assigned to the Twin Towers Correctional Facility. Deputy Lopez reported he was shot in the right foot by an unknown suspect while inside his vehicle in unincorporated East Los Angeles. Deputy Lopez also reported discharging his Department-issued firearm toward the suspect during the incident.

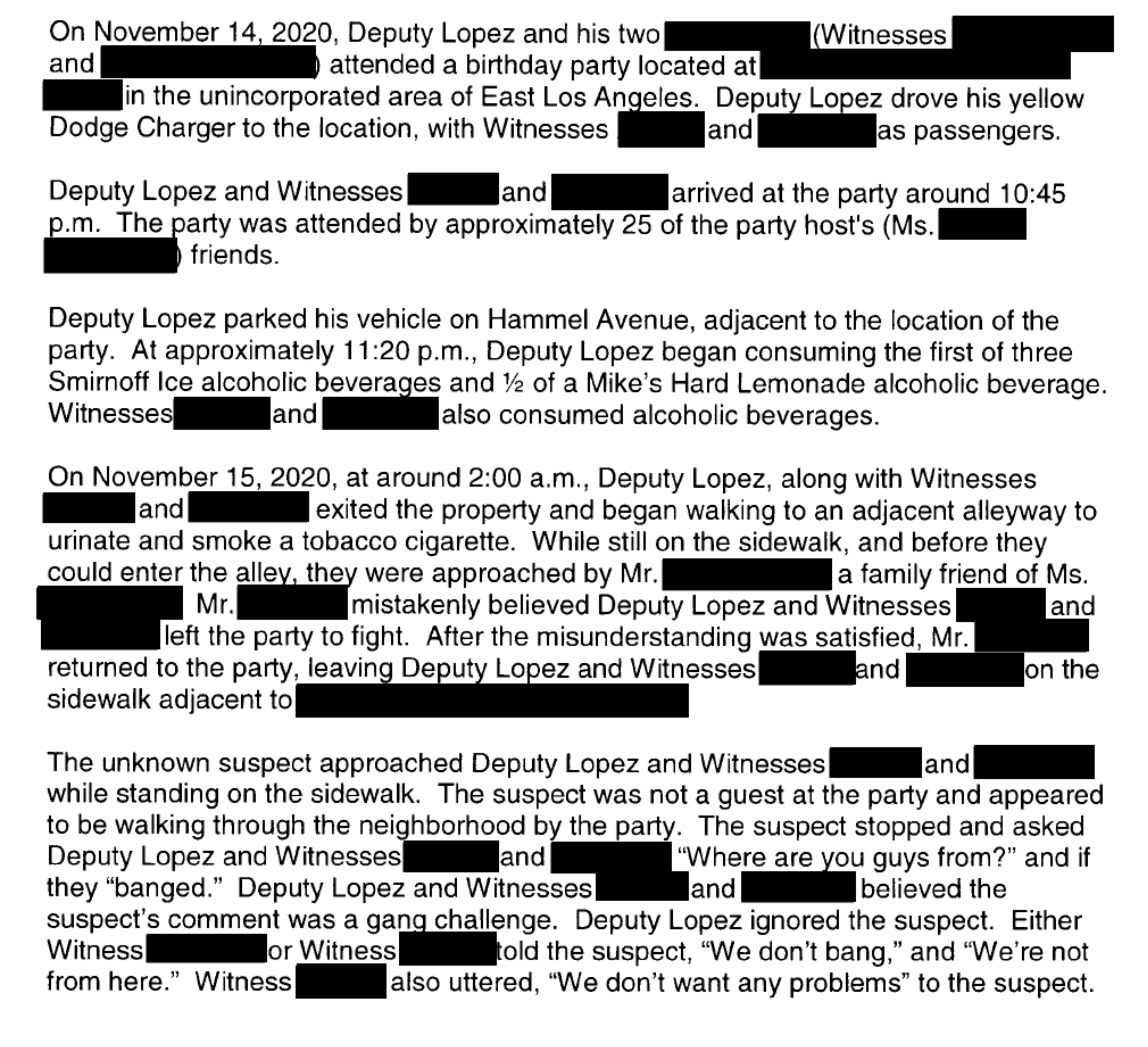
The suspect involved in the deputy-involved shooting, fled the location on foot and was not apprehended. There was no evidence discovered by investigators indicating the suspect was struck by any of Deputy Lopez' gunfire.

Los Angeles County Sheriff's Department Homicide Bureau investigators, Sergeant Marc Boskovich, #[redacted] and Sergeant Christopher Bergo, #[redacted] responded and conducted the criminal investigation.

This incident was categorized as a non-hit shooting. Homicide Bureau investigators retained responsibility for investigating the incident. Homicide Bureau investigators classified Deputy Lopez as a victim of an assault by the suspect. According to Homicide Bureau investigators, representatives from JSID were consulted; however, this case did not meet their review criteria. As such, IAB investigators immediately conducted a shooting-review investigation of the incident prior to the completion of Homicide Bureau's criminal investigation.

IAB Note: **Homicide Bureau investigators provided IAB investigators with audio recordings of interviews they completed to date. No case book was provided, as their investigation was ongoing.**

<u>SYNOPSIS</u>



On November 14, 2020, Deputy Lopez and his two [redacted] (Witnesses [redacted] and [redacted]) attended a birthday party located at [redacted] in the unincorporated area of East Los Angeles. Deputy Lopez drove his yellow Dodge Charger to the location, with Witnesses [redacted] and [redacted] as passengers.

Deputy Lopez and Witnesses [redacted] and [redacted] arrived at the party around 10:45 p.m. The party was attended by approximately 25 of the party host's (Ms. [redacted]) friends.

Deputy Lopez parked his vehicle on Hammel Avenue, adjacent to the location of the party. At approximately 11:20 p.m., Deputy Lopez began consuming the first of three Smirnoff Ice alcoholic beverages and ½ of a Mike's Hard Lemonade alcoholic beverage. Witnesses [redacted] and [redacted] also consumed alcoholic beverages.

On November 15, 2020, at around 2:00 a.m., Deputy Lopez, along with Witnesses [redacted] and [redacted] exited the property and began walking to an adjacent alleyway to urinate and smoke a tobacco cigarette. While still on the sidewalk, and before they could enter the alley, they were approached by Mr. [redacted] a family friend of Ms. [redacted] Mr. [redacted] mistakenly believed Deputy Lopez and Witnesses [redacted] and [redacted] left the party to fight. After the misunderstanding was satisfied, Mr. [redacted] returned to the party, leaving Deputy Lopez and Witnesses [redacted] and [redacted] on the sidewalk adjacent to [redacted]

The unknown suspect approached Deputy Lopez and Witnesses [redacted] and [redacted] while standing on the sidewalk. The suspect was not a guest at the party and appeared to be walking through the neighborhood by the party. The suspect stopped and asked Deputy Lopez and Witnesses [redacted] and [redacted] "Where are you guys from?" and if they "banged." Deputy Lopez and Witnesses [redacted] and [redacted] believed the suspect's comment was a gang challenge. Deputy Lopez ignored the suspect. Either Witness [redacted] or Witness [redacted] told the suspect, "We don't bang," and "We're not from here." Witness [redacted] also uttered, "We don't want any problems" to the suspect.

Deputy Lopez noticed the suspect kept his right hand in his hooded sweatshirt pocket during the entire encounter. He also noticed a bulge in the suspect's pocket and believed the bulge could have been a firearm.

During the encounter, Deputy Lopez heard the suspect speaking to Witness [redacted] Deputy Lopez believed the suspect perceived Witness [redacted] as disrespectful. Shortly thereafter, the suspect pointed at Witness [redacted] and told Witness [redacted] "Tell your homie, he's a bitch." The suspect's comment caused Deputy Lopez to become upset. Deputy Lopez was upset because they had already told the suspect they did not want any problems. With a raised voice, Deputy Lopez asked the suspect, "Hey, what the fuck is your problem, dude?" An argument ensued between the suspect, Deputy Lopez, and Witnesses [redacted] and [redacted] Both Witnesses [redacted] and [redacted] recalled the suspect mentioning his gang affiliation. The argument created a commotion, which caused partygoers to intervene. Numerous people began screaming and yelling, possibly believing a fight was pending. Deputy Lopez was pulled away from the suspect and escorted back onto the patio where the party was located. The confrontation and argument never resulted in physical contact between anyone and was verbal in nature. The suspect continued to walk north on Bonnie Beach Place.

The commotion and argument caused Ms. [redacted] to become emotional and cry. The [redacted] believed her house would be targeted by gang members and was vulnerable to be shot at in the future. Everyone at the party was told to leave the location expeditiously. Deputy Lopez heard Ms. [redacted] say she believed there would be a "hit on her house" because of the confrontation. Deputy Lopez never mentioned he was a deputy sheriff throughout the confrontation with the suspect, nor did he say he was armed, or displayed his firearm.

Before leaving the party, Witness [redacted] recalled Deputy Lopez telling him the suspect was armed with a gun. Witness [redacted] remembered Deputy Lopez telling other people the suspect had a gun and was "grabbing something" during the confrontation.

Deputy Lopez and Witnesses [redacted] and [redacted] left the party in the Dodge Charger. Deputy Lopez drove as Witness [redacted] sat in the front passenger seat and Witness [redacted] sat behind Witness [redacted] Deputy Lopez drove northbound on Bonnie Beach Place in the same direction the suspect was last seen walking. Deputy Lopez told investigators he was not looking for the suspect but was just driving around to clear his head. Witnesses [redacted] and [redacted] confirmed it was not their intention to locate the suspect and iterated Deputy Lopez was not good with directions and always got lost.

Within a few minutes of leaving the party, Deputy Lopez turned south on Hazard Avenue from Fairmount Avenue. Deputy Lopez and Witness [redacted] observed the suspect walking north on the east sidewalk of Hazard Avenue. Deputy Lopez and Witnesses [redacted] and [redacted] all commented they recognized the person walking as

the same person they had previously confronted at the party. The suspect walked with his hands in the pocket of his hooded sweatshirt.

Deputy Lopez spontaneously decided to stop his vehicle in the street adjacent to where the suspect was walking. Deputy Lopez wanted to contact the suspect and "squash everything," and to make sure there was no "conflict at all" with the suspect. As Deputy Lopez stopped his vehicle, Deputy Lopez asked the suspect, "Hey bro, is everything good?" The suspect stopped walking and peered toward Deputy Lopez' vehicle. Deputy Lopez believed the suspect recognized him and immediately began yelling profanities in his direction. The suspect took a step toward Deputy Lopez' vehicle and continued to yell profanities at Deputy Lopez. Deputy Lopez told the suspect he did not want any problems and just wanted "this to be over." The suspect yelled, "Fuck you," and shouted the name of his gang, which Deputy Lopez believed was "Lott Gang."

Deputy Lopez believed he might have placed his hand on his holstered weapon after noticing the suspect's erratic behavior and the same bulge in the suspect's pocket. Witness [redacted] believed Deputy Lopez may have already removed his firearm and rested it on his lap. Witness [redacted] remembered Deputy Lopez pulling his shirt up to expose his holstered firearm for easy access.

While approximately 15 feet away, and without warning, the suspect rapidly removed a black handgun from his right pocket and pointed it toward Deputy Lopez. Deputy Lopez simultaneously drew his firearm from its holster. The suspect fired four rounds toward Deputy Lopez. Fearing for his life, and for the safety of Witnesses [redacted] and [redacted] Deputy Lopez began firing nine rounds toward the suspect. Deputy Lopez intended to stop the suspect's assault against them. Deputy Lopez fired out the driver's side window, from the seated position, across his body, using his right hand solely to grip the weapon. Deputy Lopez did not have time to use the sights to aim his firearm as he fired.

Upon hearing the gunfire, both Witnesses [redacted] and [redacted] ducked down and ceased their observation of the suspect.

As Deputy Lopez was firing at the suspect, Witnesses [redacted] and [redacted] screamed at Deputy Lopez to "go...go...go." Deputy Lopez accelerated his vehicle south on Hazard Avenue as he continued to shoot at the suspect. Deputy Lopez' expended casings ejected into the back seat and hit Witness [redacted] exposed skin. As a result, Witness [redacted] mistakenly believed the suspect shot him.

As Deputy Lopez drove away from the location, he noticed pain coming from his right foot. He told Witnesses [redacted] and [redacted] he was shot. Witness [redacted] demanded Deputy Lopez to stop the vehicle; however, Deputy Lopez wanted to keep driving toward, and make turns on major streets in case he was being followed. Witness [redacted] believed Deputy Lopez did not immediately stop because he was "panicked" or "scared." Witness [redacted] wanted to be taken to the hospital.

After driving past an ambulance and Los Angeles County Fire Department paramedic vehicle on an unrelated call, Deputy Lopez eventually stopped near the intersection of Floral and Ford Avenues in East Los Angeles. Deputy Lopez recalled the California Highway Patrol (CHP) Office, [redacted] was across the street from where he stopped. While stopped, Deputy Lopez exited the driver's seat and checked Witnesses [redacted] and [redacted] for injuries, and determined they were uninjured. Deputy Lopez confirmed he was shot in the foot but determined his injury to be "nothing extreme."

Witness [redacted] took over driving and Deputy Lopez assumed the front passenger seat position. Witness [redacted] drove Deputy Lopez to Adventist Health White Memorial (White Memorial Hospital) in Boyle Heights to be treated for his injury.

Deputy Lopez and Witnesses [redacted] and [redacted] did not call 9-1-1 after the shooting incident; however, Witness [redacted] had conversations with his [redacted] via his cellphone. Witness [redacted] (Ms. [redacted]) alerted Witness [redacted] she heard gunfire in the neighborhood shortly after they left. Witness [redacted] told investigators he initially "lied" to his [redacted] and denied any knowledge of gunfire to avoid frightening her. After their conversation, Ms. [redacted] used a tracking application and determined Witness [redacted] was at the hospital. In a subsequent phone conversation, Witness [redacted] told his [redacted] Deputy Lopez was hurt. Witness [redacted] had a phone conversation with another friend between the time the shooting occurred and arriving at the hospital. Deputy Lopez believed calling 9-1-1, or having Witnesses [redacted] or [redacted] call 9-1-1, would not have help the situation. Deputy Lopez thought calling 9-1-1 at that time would confuse the situation because Witnesses [redacted] and [redacted] were "civilians" and "don't know what they are talking about," which could lead to an inconsistency in what each of them perceived happened and where it happened. Deputy Lopez determined Witnesses [redacted] and [redacted] were panicking and "un-levelheaded" immediately following the shooting incident. Immediately following the shooting, Deputy Lopez' main concern was getting to the hospital.

Upon arrival at the hospital, Witness [redacted] parked the vehicle and assisted Deputy Lopez into the emergency room. After a short wait, Deputy Lopez was brought to the emergency room treatment area. Witnesses [redacted] and [redacted] were directed to wait outside because of the hospital's COVID-19 protocol. Hospital staff discovered Deputy Lopez was a deputy sheriff, and he was armed. Per their request, Deputy Lopez called Witness [redacted] who retrieved the firearm and secured it in the Dodge Charger.

At 2:51 a.m., an [redacted] called East Los Angeles Station and reported a deputy was being treated at White Memorial Hospital with a single gunshot wound to his foot. The East Los Angeles Station call taker spoke with Deputy Lopez on a recorded line. At approximately 3:13 a.m., Deputies Jaime Robles and Andrew Alatorre arrived at the hospital and began the preliminary investigation. Their investigation was documented under Uniform Report Number 020-15324-0275-051 **[Exhibit A]**. Notifications were made to the East Los Angeles Station watch

commander, resulting in the Twin Towers Correctional Facility unit commander being notified at approximately 3:17 a.m.

Homicide Bureau investigators responded and initiated their criminal investigation. The suspect was not identified or located.

Due to discrepancies between Deputy Lopez' and Witnesses [redacted] and [redacted] recollection of where the shooting incident took place, East Los Angeles Station deputies and Homicide Bureau investigators could not locate the crime scene until shortly before 8:00 a.m. Sometime after 7:39 a.m., Deputy Diego Ramirez, #[redacted] was assigned to canvass Hazard Avenue. During his canvass, he observed several shell casings and bullet fragments on the sidewalk in front of [redacted] Deputy Ramirez immediately notified Homicide Bureau investigators and initiated a Major incident log **[Exhibit A]**.

Homicide Bureau investigators later discovered at least four of Deputy Lopez' bullets struck the residence located at [redacted] with at least one round penetrating the exterior of the house. At least two of the suspect's rounds, and at least one of Deputy Lopez' rounds, struck and penetrated several unoccupied vehicles parked on the street.

Deputy Lopez had surgery to remove a bullet fragment from his right foot.

<u>INVOLVED EMPLOYEE(S):</u>

<u>Lopez, Ryan, Deputy Sheriff, #</u>[redacted]
Twin Towers Correctional Facility

Date of Employment:	December 26, 2019
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	[redacted]
Prior Shooting Incidents:	[redacted]
Prior Founded Force Incidents:	[redacted]



Equipment Worn On Person

Deputy Lopez was off-duty at the time of the incident. He wore civilian clothing (black long sleeve t-shirt, gray Dickies pants, and black Nike Cortez shoes) with a concealable inside-the-waistband holster. Deputy Lopez carried his Department-issued Smith & Wesson, M&P, 9mm pistol. The pistol was loaded with one round in the chamber and 16 rounds in the magazine.

> **IAB Note: Deputy Lopez carried his magazine with 16 total rounds, one round less than the manufacture's magazine capacity (17 rounds).**

SUSPECT INFORMATION:

Unknown
Male, Hispanic, mid-20s/early-30s, 5'07"- 6'02", 160-250 lbs.

Immediately following the shooting, the suspect fled the location on foot, and was not located or apprehended. Homicide Bureau's investigation is ongoing, and the suspect has yet to be identified.

WITNESSES:

The following persons were identified as witnesses to the deputy-involved shooting incident:


[redacted]

The following persons were interviewed by Homicide Bureau/IAB investigators regarding their knowledge of the events surrounding the deputy-involved shooting incident; however, they were not witnesses to the deputy-involved shooting:

[redacted]
Deputy Jaime Robles
Deputy Andrew Alatorre
Ms. [redacted]
Mr. [redacted]

INJURIES:

Suspect

The suspect was not apprehended. Any potential injuries sustained during the incident could not be determined. No evidence was discovered by responding deputies or Homicide Bureau investigators indicating the suspect was injured during the incident.

> **IAB Note:** **During the verbal confrontation at the birthday party, Witness [redacted] observed a preexisting "bump" over the suspect's right eye that had a scab on it and appeared to be in the healing process.**

Department Personnel

Deputy Lopez sustained a single gunshot wound to the inside arch of his right foot. The bullet lodged inside the foot without exiting. The bullet lodged in the fatty tissue of the

foot, narrowly missing striking a bone or significant blood vessel. A bullet fragment was removed by physicians from White Memorial Hospital during a subsequent surgery and provided to Homicide Bureau investigators.

PHYSICAL EVIDENCE:

Homicide Bureau investigators, with the assistance of investigators from the Department's High-Tech Task Force, recovered surveillance video from six locations near where the deputy-involved shooting occurred **[Exhibit H]**.

Homicide Bureau investigators identified numerous items of physical evidence related to this incident. The evidence was collected and documented by Forensic Identification Specialists from the Scientific Services Bureau **[Exhibit C]**. This evidence included approximately five (5) 9mm bullet casings found inside Deputy Lopez' vehicle. Also recovered from inside the vehicle's center console were Deputy Lopez' Department-issued firearm and two magazines. A right-footed Nike Cortez-style shoe with a bullet hole was located on the front passenger floorboard.

Around [redacted] Homicide Bureau investigators discovered and collected four (4) expended 9mm casings (apparently fired by the suspect) and numerous bullet fragments.

Department forensics identification specialists responded to White Memorial Hospital and the crime scene and took photographs of the evidence, involved parties, and damages **[Exhibit H]**.

Homicide Bureau investigators downloaded the cell phone data from Deputy Lopez' and Witnesses [redacted] and [redacted] cell phones.

> **IAB Note:** **Per Homicide Bureau investigators, the data from these cell phones did not contain relevant information regarding the shooting incident. The data was not provided to IAB investigators.**

INVESTIGATOR'S OBSERVATIONS:

Homicide Bureau investigators conducted a briefing regarding the deputy-involved shooting incident based on information and evidence obtained at the time. They escorted IAB investigators through the scene where the deputy-involved shooting occurred.

The deputy-involved shooting scene was documented in detail by Homicide Bureau Investigators Scott Lawler, #[redacted] and Eugene Hatch, #[redacted] **[Exhibit B]**. Their description of the scene was consistent with the responding IAB investigators' observations.

IAB Note: The scene where the deputy-involved shooting occurred was not discovered until shortly before 0800 hours on November 15, 2020 (approximately six hours after the incident occurred).

Scientific Services Bureau personnel photographed the scene. The digital images were uploaded onto compact discs and were included in this Case Book for review **[Exhibit H/Crime Lab Photos]**.

WEAPON USED BY DEPARTMENT PERSONNEL:

Deputy Ryan Lopez

Deputy Lopez presumably fired nine (9) rounds of Department-issued 9mm ammunition from his Department-issued Smith & Wesson, M&P 2.0, 9mm, semi-automatic pistol. Deputy Lopez explained his firearm was initially loaded with seventeen (17) live WIN 9mm Luger rounds. Deputy Lopez' firearm was loaded with one round less than full capacity. Homicide Bureau investigators recovered seven (7) rounds that remained in Deputy Lopez' ammo magazine, and one (1) loose round in the cup holder of the Dodge Charger.

IAB Note: Homicide Bureau investigators recovered five 9mm expended shell casings inside Deputy Lopez' vehicle. Four expended casings were not located/recovered.

Date last qualified (mobile range): [redacted]
Date last trained with weapon (academy):

IAB Note: Senior Criminalist Steve Shiraishi, #[redacted] of the Los Angeles County Sheriff's Department's Scientific Services Bureau Firearms Identification Section, examined Deputy Lopez' firearm and determined it to be functional [Exhibit C].

WEAPONS USED BY SUSPECT:

The suspect fired at least four 9mm rounds from an unknown type of semi-automatic pistol. The weapon was not recovered.

DNA testing was requested on the four expended casings found at the scene; however, based on the insufficient amount of DNA present on the expended casings, no additional analysis was conducted **[Exhibit C]**.

PROPERTY DAMAGE:

Deputy Lopez' yellow 2017 Dodge Charger (California license [redacted] was struck two times by the suspect's gunfire. The lower driver's door sustained a penetrating bullet hole that entered the driver's footwell area. Refer to photographs **[Exhibit H]**. The

vehicle also sustained a bullet hole near the driver's side side-view mirror. These bullet strikes are attributed to the suspect's gunfire.

Investigators observed the following bullet strikes at [redacted]

1) Bullet impact to the west-facing wall of the residence.
2) Bullet impact to the porch light, affixed to the west-facing wall of the residence. That round continued and struck the exterior wall.
3) Bullet impact to the west-facing wall near the address number "810."
4) Bullet impact to the northwest corner wall of the residence.
5) Two (2) bullet impacts to the metal fence surrounding the property.
6) Bullet impact to the cinder block base of the fence of the property.

The bullet strikes associated with [redacted] are attributed to Deputy Lopez' gunfire.

Investigators observed bullet impacts on the following vehicles parked near the location:

1) Bullet impact to a blue Honda Pilot SUV parked in front of [redacted] This impact was attributed to the suspect's gunfire.
2) Bullet impact to a red Ford Expedition SUV parked in front of [redacted] The bullet entered and shattered the rear window of the SUV. This impact was attributed to Deputy Lopez' gunfire.
3) Bullet impact to a silver Honda Accord parked in front of [redacted] This impact was attributed to the suspect's gunfire.

In total, seven (7) of Deputy Lopez's rounds struck [redacted] and the associated fence. One (1) of Deputy Lopez' rounds struck a vehicle parked in front of the location. Two (2) of the suspect's rounds struck Deputy Lopez' vehicle, and one (1) of the suspect's rounds struck a sedan parked across the street.

IAB Note: **Photographs of all damage located at the scene were taken by representatives from Scientific Services Bureau [Exhibit H].**

CRIMINAL INVESTIGATION:

Homicide Bureau Investigators Marc Boskovich and Christopher Bergo handled the criminal investigation involving the deputy-involved shooting incident. The investigation is ongoing, and the suspect has not been identified.

IAB Note: **At the time this non-hit shooting review was submitted, Homicide Bureau investigators had not completed a Homicide Bureau Casebook, nor had any further information been developed.**

LIGHTING AND WEATHER CONDITIONS:

The incident occurred at approximately 2:23 a.m. on a winter day. The temperature was recorded in the mid-50s with clear skies. There was no precipitation, and the winds were calm.

The deputy-involved shooting occurred on a residential street illuminated by street and porch lighting. The moon was in the new phase and provided little, if any, ambient lighting.

CALL FROM WHITE MEMORIAL HOSPITAL:

On November 15, 2020, at 2:51 a.m., East Los Angeles Station received a call from White Memorial Hospital. [redacted] reported Deputy Lopez was in the emergency room with a gunshot wound to his right foot. Mr. [redacted] stated Deputy Lopez told him the incident occurred in East Los Angeles; however, he did not know the cross streets.

The East Los Angeles Station call taker requested to speak with Deputy Lopez. Deputy Lopez told the call taker he was a deputy sheriff assigned to Twin Towers Correctional Facility. Deputy Lopez stated the suspect approached him at a party and started "talking smack." Deputy Lopez stated he asked the suspect, "What the problem was?" Deputy Lopez told the call taker the suspect said the name of a gang; however, he could not recall the name of the gang the suspect claimed.

Deputy Lopez elaborated after leaving the party he saw the suspect walking and asked him if "everything is okay." The suspect started to curse at him, said the name of his gang, pulled out a gun, and fired at him two times. Deputy Lopez reported he pulled out his firearm and fired three or four times. Deputy Lopez told the call taker he believed the incident occurred at Bonnie Beach Place and Hammel Avenue.

Deputy Lopez provided the call taker with the suspect's physical and clothing descriptions. Deputy Lopez told the call taker his friends were outside the hospital waiting near a yellow Dodge Charger.

Mid-call, Deputy Lopez recalled the shooting incident did not occur on Bonnie Beach Place and Hammel Avenue. He told the call taker he believed the shooting happened near the intersection of Brannick Avenue and Folsom Street.

IAB Note: The shooting incident was later determined to have occurred one block west of where Deputy Lopez indicated he believed the shooting occurred.

Deputy Lopez concluded the call around 3:12 a.m. when East Los Angeles Station Deputies Robles and Alatorre arrived in the emergency room.

The call to East Los Angeles was audio-recorded and transcribed.

VIDEO RECORDINGS:

Homicide Bureau investigators obtained surveillance video from six locations around the area of the deputy-involved shooting **[Exhibit H]**. The surveillance video from [redacted] was the only video to depict Deputy Lopez firing rounds.

IAB Note: **For purposes of this Shooting-Review investigation and video analysis, IAB investigators requested detectives from the Department's Tech-ops unit, create a concatenated video of the relevant video segments. Video concatenation involves the process of stitching multiple videos together to be viewed in one video file. These videos were also converted to one single video format, which could be view using most standard video player software [Exhibit H].**

IAB Note: **The concatenated video is not in chronological sequence.**

IAB Note: **Due to the large amount of video data, IAB investigators did not include video footage that did not capture the suspect or Deputy Lopez's vehicle in this shooting review.**

IAB investigators isolated the video from [redacted] as a separate larger clip to enable further analysis and review **[Exhibit H]**.

TIMESTAMP	DESCRIPTION: [Concatenated video]
00:00	Deputy Lopez' Dodge Charger turned south onto Hazard Avenue from eastbound Fairmont Street.
00:11	The suspect walked north on Hazard Avenue, north of Folsom Street. The suspect was on the east sidewalk and appeared to have both hands in his sweatshirt pockets.
00:34	Deputy Lopez' vehicle's headlights appear as his vehicle stopped (off-screen to the left).
00:47	Deputy Lopez' vehicle accelerates south on Hazard Avenue.
00:51	The suspect walked north on the eastside walk of Hazard Avenue. Deputy Lopez' vehicle stopped adjacent to the suspect, who walked off-screen to the right.
01:07	Deputy Lopez' vehicle accelerated south on Hazard Avenue. The suspect ran north on Hazard Avenue after crossing the street.
01:25	Deputy Lopez' vehicle stopped adjacent to the suspect in front of [redacted] The suspect immediately turned and briefly walked by south on Hazard Avenue before turning and facing Deputy Lopez' vehicle. After approximately 11 seconds in a stationary position, Deputy Lopez' vehicle accelerated south on Hazard Avenue. Four muzzle flashes could be seen coming from the suspect's position.
01:43	The suspect walked north on Hazard Avenue on the east sidewalk.
01:53	Deputy Lopez' vehicle approached from the north and stopped in the street adjacent to the suspect. As Deputy Lopez' vehicle approached,

	the suspect appeared to orient his body and track the vehicle's movement.
02:08	The suspect rapidly drew a firearm from his right hooded sweatshirt pocket and took a shooting stance toward Deputy Lopez' vehicle.
02:09	Based on the review of the video surveillance, Deputy Lopez appeared to fire the first round at the suspect based on bright muzzle flashes coming from the driver's window of his vehicle. Near simultaneously, Deputy Lopez appeared to fire a second round as the suspect fired his first round. Deputy Lopez' vehicle began moving forward as he fired his first shot; subsequent rounds were fired as the vehicle was moving.
02:11	Deputy Lopez and the suspect exchanged additional gunfire as the suspect moved behind a parked vehicle's engine block. Deputy Lopez appeared to fire at least five rounds while his vehicle was within view of the surveillance camera and before he passed a parked maroon SUV. Debris and dust from the exterior wall of [redacted] appeared behind the suspect.
02:14	The suspect ran north on Hazard Avenue, crossing to the west sidewalk.

IAB investigators included a higher quality version of the [redacted] video, which could be viewed with standard video player software **[Exhibit H]**.

TIMESTAMP	**DESCRIPTION:** [redacted]
00:00	The beginning of the video clip starts. The time stamp on the recording indicated 11-15-2020 02:22:07 AM.
00:45	The suspect walked north on Hazard Avenue on the east sidewalk.
00:56	Deputy Lopez' vehicle drove south on Hazard Avenue. The suspect immediately orientated toward Deputy Lopez's vehicle as it slowed to a stop. The suspect moved closer to the front of a parked vehicle.
01:11	The suspect rapidly removed a firearm from his right hooded sweatshirt pocket and took a firing stance toward Deputy Lopez' vehicle. As the suspect moved into the stance, he began a movement behind the parked vehicle's engine block. Deputy Lopez fired at the suspect.
01:12	Both Deputy Lopez and the suspect fired near simultaneously at each other. Deputy Lopez' vehicle moved forward as he continues to fire toward the suspect. The suspect used the parked vehicle as cover as he continued to fire toward Deputy Lopez' vehicle.
01:17	The suspect ran north on Hazard Avenue.

IAB Note: **IAB investigators printed a still-frame photograph from the [redacted] video. The photographs depicts the location of the suspect and Deputy Lopez' vehicle when the first muzzle flashes are recorded [Exhibit G].**

IAB Note: **Based on the video's frame rate and camera speed, it is unknown if all muzzle flashes were recorded by the camera.**

INVOLVED EMPLOYEE'S STATEMENTS:

Homicide Bureau and IAB investigators interviewed the following Involved Employee. The following narrative is intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the audio-recorded interviews and verbatim transcriptions.

DEPUTY RYAN LOPEZ

On November 18, 2020, Homicide Bureau investigators interviewed Deputy Lopez in the Homicide Bureau Media Room. Deputy Lopez was subsequently interviewed by IAB investigators on April 16, 2021, at the IAB office in the City of Commerce. Attorney Nicole Castronovo represented Deputy Lopez during his IAB interview.

On May 15, 2020, Deputy Lopez was sworn in as a deputy, and was subsequently assigned to the Twin Towers Correctional Facility. Deputy Lopez was a [redacted] assigned to the [redacted] office for [redacted] years prior to becoming a deputy. He ceased his participation with the [redacted] program in late [redacted] or early [redacted]

On Saturday, November 14, 2020, Deputy Lopez and Witnesses [redacted] and [redacted] were invited to attend Ms. [redacted] 21st birthday party. Ms. [redacted] was Witness [redacted] Both Witnesses [redacted] and [redacted] were former [redacted] with Deputy Lopez and his current roommates. The party's venue was the outdoor patio at Witness [redacted] residence, located at [redacted] in [redacted]

Shortly after 10:00 p.m., Deputy Lopez drove to the party, with Witnesses [redacted] and [redacted] as passengers in his yellow Dodge Charger. Before arriving at the party, he took the 5 and 60 Freeways from his [redacted] apartment to the party's location. Prior to arriving at the party, he stopped briefly at a 7-Eleven convenience store for Witnesses [redacted] and [redacted] to purchase a 12-pack of Pacifico branded beer. They arrived at the party between 10:40 and 10:50 p.m.

Upon their arrival, Deputy Lopez parked his vehicle on Hammel Avenue at the t-intersection of Bonnie Beach Place and Hammel Avenue. Deputy Lopez' vehicle faced east on Hammel Avenue along the south curb line.

Deputy Lopez and Witnesses [redacted] and [redacted] joined the party taking place on a patio adjacent to the house and behind a gate separating the property from the public street. There were approximately 20-25 partygoers at the party, mainly consisting of Ms. [redacted] close personal friends. Deputy Lopez observed a patio setting where everyone was mingling around. There was a beer pong table, food, and "party music" playing from a speaker. Many of the partygoers were consuming alcohol. Deputy Lopez observed an assortment of Pacifico, Modello, and Smirnoff alcoholic beverages at the party. He did not observe anyone using marijuana or illicit narcotics.

Upon entering the party, Deputy Lopez was armed with his loaded Department-issued Smith & Wesson firearm. Deputy Lopez carried the firearm concealed in an inside-the-waistband holster. The firearm was positioned in front of his body near his "appendix" and belly button **(Lopez Homicide Transcript, pages 8-9)**. Deputy Lopez carried his Department-issued flat badge and identification card in his left-rear pants pocket **(Lopez IAB Transcript, page 11)**.

Deputy Lopez was dressed in a black long-sleeved shirt, grey Dickies pants, and black/white Nike Cortez shoes. Deputy Lopez also carried a grey bandana as a COVID-19 face covering, in case it was required for the party. Deputy Lopez also wore a black wristband inscribed with the words, "Don't be a little bitch," on one of his wrists **(Lopez IAB Transcript, pages 11-12)**.

At approximately 11:10 p.m., Deputy Lopez began consuming the first of 3 ½ alcoholic beverages. These beverages included three (3) 12-ounce Smirnoff Ice drinks, containing 5% alcohol by volume (ABV). Deputy Lopez also consumed half of a 12-ounce Mike's Hard Lemonade beverage, containing 5% ABV. These beverages were consumed between 11:15 p.m. and 2:00 a.m. Deputy Lopez did not consume any of the Pacifico beers Witnesses [redacted] and [redacted] brought to the party because that type of beer makes him "feel bloated." Deputy Lopez stopped drinking because he knew he was going to drive home. He did not feel intoxicated due to his alcohol consumption, nor did he feel any effects from the alcohol consumption **(Lopez Homicide Transcript, page 6, Lopez IAB Transcript, pages 18-19)**.

Deputy Lopez did not count how many beers Witnesses [redacted] and [redacted] drank, but he observed both drinking at least one or two beers.

The only people attending the party who knew Deputy Lopez was a deputy sheriff were Witnesses [redacted] and Ms. [redacted] Deputy Lopez never identified himself as a deputy to anyone **(Lopez Homicide Transcripts, pages 34-35)**.

At around 2:00 a.m., Deputy Lopez was finishing playing a game of beer pong when he and Witness [redacted] decided to go to an adjacent alley to urinate. He and Witness [redacted] jogged to the gate, followed shortly thereafter by Witness [redacted] who also jogged toward the gate.

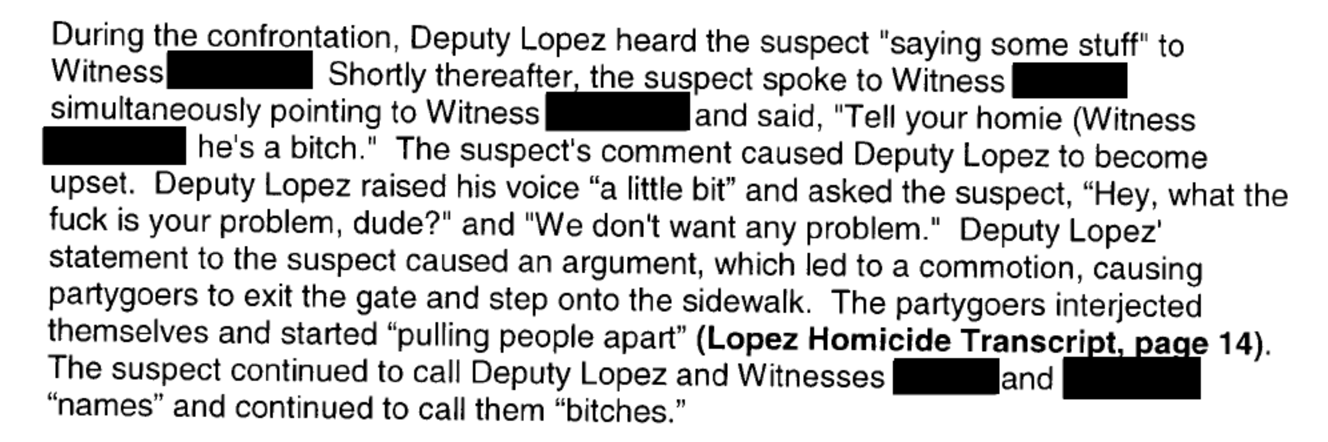
As Deputy Lopez and Witnesses [redacted] and [redacted] exited the gate and began to walk toward the adjacent alley, a Hispanic male, who Deputy Lopez knew as "[redacted]" approached them and asked if everyone was okay. [redacted] believed a possible fight was pending because Deputy Lopez and Witnesses [redacted] and [redacted] rapidly exited the party. Deputy Lopez assured [redacted] everything was okay, and [redacted] apologized for the misunderstanding after their brief discussion.

As [redacted] returned to the party, the suspect walked toward Deputy Lopez and Witnesses [redacted] and [redacted] as they stood on the sidewalk in front of the residence. The

suspect approached from the south and was not a participant of the birthday party. As the suspect approached, he asked Deputy Lopez and Witnesses [redacted] and [redacted] "Where are you guys from?" and inquired, "you fools bang, or what?" Witness [redacted] immediately replied to the suspect, "We don't bang" and "we're not from here," along with "We don't want no problems" **(Lopez Homicide Transcript, page 8 / Lopez IAB Transcript, page 22)**.

Deputy Lopez heard the suspect announce he was from the "Lott Gang" **(Lopez Homicide Transcript, page 10)**. Deputy Lopez recalled the suspect looked like a "gang member, but not your stereotypical gang member," because he did not see any tattoos **(Lopez Homicide Transcript, page 13)**.

IAB Note: During Deputy Lopez' IAB interview, he did not recall the suspect specifically mentioning he was a gang member or the name of his gang during the confrontation near the party (Lopez IAB Transcript, pages 26, 41).



During the confrontation, Deputy Lopez heard the suspect "saying some stuff" to Witness [redacted] Shortly thereafter, the suspect spoke to Witness [redacted] simultaneously pointing to Witness [redacted] and said, "Tell your homie (Witness [redacted] he's a bitch." The suspect's comment caused Deputy Lopez to become upset. Deputy Lopez raised his voice "a little bit" and asked the suspect, "Hey, what the fuck is your problem, dude?" and "We don't want any problem." Deputy Lopez' statement to the suspect caused an argument, which led to a commotion, causing partygoers to exit the gate and step onto the sidewalk. The partygoers interjected themselves and started "pulling people apart" **(Lopez Homicide Transcript, page 14)**. The suspect continued to call Deputy Lopez and Witnesses [redacted] and [redacted] "names" and continued to call them "bitches."

During the interaction, Deputy Lopez noticed the suspect had his left hand to his side, and his right hand remained inside his burgundy hooded sweatshirt pocket. Deputy Lopez observed a "bulge" in the suspect's sweatshirt pocket. Due to Deputy Lopez' "training," he believed the bugle could "possibly" be a firearm. Deputy Lopez was also aware gang members sometimes use a "scare tactic" to make people "think" they have a firearm; however, he was not sure because the sidewalk area was dark at the time. The suspect never removed his right hand from his sweatshirt pocket **(Lopez Homicide Transcript, page 12 / Lopez IAB Transcript, page 31)**.

Deputy Lopez never mentioned he was armed, nor did he exhibit his firearm during his verbal encounter with the suspect.

Deputy Lopez recalled immediately being "pulled away" or "escorted away" by people from the party telling him to "just relax." During this time, Deputy Lopez heard Ms. [redacted] crying and "speaking erratically." She exclaimed there was now a "hit on her house" and "they're going to come shoot her house;" however, Deputy Lopez ignored her comments, believing them to be irrational. Due to Witness [redacted]

[redacted] "energy," everyone else at the party started "getting crazy" and began yelling **(Lopez Homicide Transcript, pages 10-11 / Lopez IAB Transcript, pages 23-24)**.

Deputy Lopez maintained the argument was strictly verbal, and at no time did it become physical. No one punched, kicked, pushed, or otherwise touched anyone else. The argument involved only Deputy Lopez, Witnesses [redacted] and [redacted] versus the suspect. No one else from the party was involved in the argument **(Lopez IAB Transcript, pages 26, 28)**.

Due to Deputy Lopez being escorted away from the confrontation with the suspect, he was unsure if Witnesses [redacted] and [redacted] continued to interact with the suspect. Deputy Lopez did not see where the suspect went because he returned to the patio area of the property. No one ever told him where the suspect went.

IAB Note: During Deputy Lopez' IAB interview, he used an overhead satellite map of [redacted] to indicate in red ink where he parked his vehicle, where the gathering took place on the property, and the argument with the suspect occurred [Exhibit E].

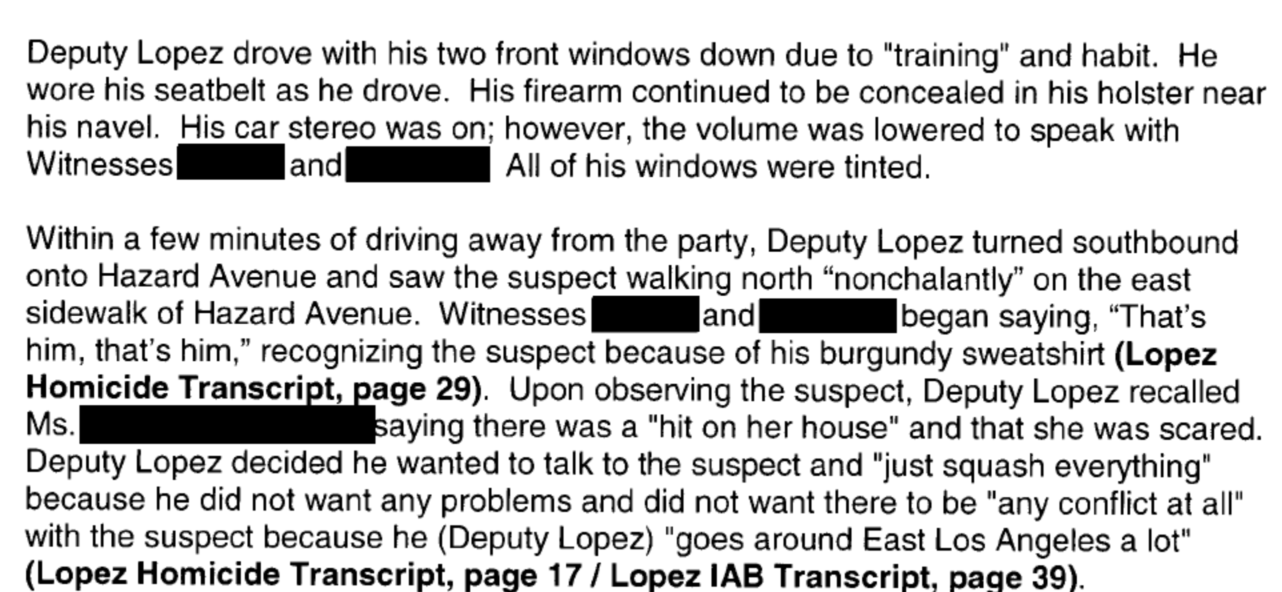
Within a couple of minutes, the party ended at the request of Ms. [redacted] and everyone began to leave the area. Deputy Lopez estimated the time everyone started to leave at about 2:15 a.m. to 2:20 a.m. Deputy Lopez found Witness [redacted] arguing with Ms. [redacted] and Witness [redacted] was on the sidewalk. Deputy Lopez told Witnesses [redacted] and [redacted] "Let's jam," "We're going to go," and "Let's get out of here." They immediately walked to his Dodge Charger to leave the location.

After entering his vehicle, Deputy Lopez and Witnesses [redacted] and [redacted] commented, "Whoa, what had just happened?" Deputy Lopez suggested, "Let's just clear our heads" and "Let's take a drive real quick" **(Lopez Homicide Transcript, page 15)**.

Deputy Lopez decided to drive "up into the neighborhood" to "clear our heads." While driving, Deputy Lopez and Witnesses [redacted] and [redacted] discussed "what happened" and if everyone was okay. As Deputy Lopez was driving, he was not looking at the streets or navigating; he was "just driving to drive" **(Lopez Homicide Transcript, page 25)**. They decided to drive to a local McDonald's restaurant to further discuss the incident. Deputy Lopez suggested, "Let's just make sure we just get out of here," to which Witnesses [redacted] and [redacted] agreed. Deputy Lopez recalled they were driving around waiting for their friend "[redacted] to answer his phone to see if he wanted to "hang out" before he went home **(Lopez Homicide Transcript, page 25 / Lopez IAB Transcript, page 34)**.

Deputy Lopez was not looking for the suspect when he and Witnesses [redacted] and [redacted] left the party in their vehicle. Deputy Lopez acknowledged it might "seem" and "sound" like he was looking for the suspect when he left the party, but indicated that

perception would be false. Deputy Lopez attributed the contact with the suspect as being at the "wrong place at the wrong time." Deputy Lopez also indicated he was driving around because he "does not know where [he] is going," does not like asking for directions, and just drives around until he hits a major street **(Lopez Homicide Transcript, page 33 / Lopez IAB Transcript, pages 35-36)**.



Deputy Lopez drove with his two front windows down due to "training" and habit. He wore his seatbelt as he drove. His firearm continued to be concealed in his holster near his navel. His car stereo was on; however, the volume was lowered to speak with Witnesses [redacted] and [redacted] All of his windows were tinted.

Within a few minutes of driving away from the party, Deputy Lopez turned southbound onto Hazard Avenue and saw the suspect walking north "nonchalantly" on the east sidewalk of Hazard Avenue. Witnesses [redacted] and [redacted] began saying, "That's him, that's him," recognizing the suspect because of his burgundy sweatshirt **(Lopez Homicide Transcript, page 29)**. Upon observing the suspect, Deputy Lopez recalled Ms. [redacted] saying there was a "hit on her house" and that she was scared. Deputy Lopez decided he wanted to talk to the suspect and "just squash everything" because he did not want any problems and did not want there to be "any conflict at all" with the suspect because he (Deputy Lopez) "goes around East Los Angeles a lot" **(Lopez Homicide Transcript, page 17 / Lopez IAB Transcript, page 39)**.

Deputy Lopez stopped his car in the middle of the street, adjacent to the suspect. He kept the car in drive, with his foot on the brake. Deputy Lopez initiated communication with the suspect by asking, "Hey bro, is everything good?" The suspect looked toward the car, took a step into the street, and started yelling, "Fuck you," "You guys are fucking bitches," and "Fuck you guys" after the suspect recognized them. Deputy Lopez told the suspect again, "Look, bro, we don't want any problems, we just want this to be over." Deputy Lopez reiterated he did not want any problems in English and Spanish. The suspect again yelled, "Fuck you," and yelled, "Lott Gang, putos" (**Lopez Homicide Transcript, page 17 / Lopez IAB Transcript, pages 37-38**).

As the suspect yelled profanities, he kept both of his hands in his sweatshirt pocket. Deputy Lopez again noticed a "bulge" in the suspect's pocket; however, it did not cross Deputy Lopez' mind that the suspect may have a firearm **(Lopez Homicide Transcript, page 31 / Lopez IAB Transcript, page 38)**. During the encounter, Deputy Lopez observed the suspect remove his right hand from his sweatshirt pocket, holding a black firearm. As the suspect was in the process of rapidly pointing the firearm at Deputy Lopez' vehicle, Deputy Lopez drew his firearm from its holster and aimed it out the window. The suspect began to fire a couple of rounds.

Deputy Lopez returned fire toward the suspect. He believed he fired three or four rounds from a stationary position while seated in his vehicle. He later learned from Homicide Bureau investigators he fired eight or nine rounds. Deputy Lopez recalled shooting at the suspect in order to stop the threat. Deputy Lopez was "scared for his life" and for the safety of his friends. He just wanted the threat of the suspect shooting

at him to stop **(Lopez Homicide Transcript, pages 33-34 / IAB Transcript, page 42)**. Deputy Lopez never unholstered his firearm until he observed the suspect with a gun in his hand **(Lopez IAB Transcript, page 39)**. Deputy Lopez believed the suspect initiated the exchange of gunfire when he fired two rounds at Deputy Lopez and his vehicle. Deputy Lopez estimated he was approximately 15 feet away from the suspect when the shooting took place.

Deputy Lopez used a one-handed grip when discharging his firearm out his front driver's window, from a seated position in his vehicle. He believed his left hand was resting on the door armrest during the shooting. Deputy Lopez had to shoot across his shoulder, and he did not have time to orient his body toward the suspect, nor did he have time to use the sights on his weapon to aim at the suspect. Deputy Lopez believed he was continuously assessing the threat as he was firing his rounds. Deputy Lopez recalled he fired two volleys of bullets. After the first few rounds he observed the suspect continue to shoot, which caused him to continue to shoot more rounds **(Lopez IAB Transcript, pages 42-43, 45)**. Deputy Lopez recalled being in a stationary position when he fired all of his rounds and did not think his vehicle was moving during the shooting.

Deputy Lopez recalled his shooting backdrop being two houses and a market. He did not see any pedestrians in his field of fire. Deputy Lopez recalled the area being lit by a "lamppost" with sufficient lighting to see the suspect and clearly see the gun in the suspect's hand.

During the shooting, Deputy Lopez heard either Witness [redacted] or Witness [redacted] yelling, "Go…go…go." Deputy Lopez also believed he heard Witness [redacted] or Witness [redacted] say they were shot. Deputy Lopez "took off" and continued to drive south on Hazard Avenue. Deputy Lopez recalled he wanted to "hit major streets" in case he was being "followed" or "got shot at again." Deputy Lopez had no specific indication he was being followed, but since his car was yellow, he knew it was "not hard to pick out." He believed by continuously turning, "they" could not get them, nor could they find him **(Lopez IAB Transcript, pages 47, 50)**.

Deputy Lopez was unaware where any of his rounds struck, nor did he know if he struck the suspect with his gunfire **(Lopez IAB Transcript, page 46)**.

Immediately following the shooting, Deputy Lopez recalled holstering his firearm and driving to Eastern Avenue, and turning onto Cesar Chavez Avenue. While he was driving, Deputy Lopez told Witnesses [redacted] and [redacted] he was shot. Witness [redacted] also believed he was shot. Witness [redacted] was screaming and yelling for Deputy Lopez to stop the car. Deputy Lopez drove to Floral Avenue and parked the car once he turned on a major street. Deputy Lopez knew he was on Floral Avenue, near the 710 Freeway, because he could see the CHP station "directly in front of us" **(Lopez IAB Transcript, page 49)**. Witness [redacted] exited the vehicle and walked to the driver's side. Deputy Lopez told Witness [redacted] "Get in, you're driving." Witness [redacted] exited the vehicle and assisted Deputy Lopez with walking to the passenger side of the

vehicle. While everyone was out of the vehicle, Deputy Lopez patted down Witnesses [redacted] and [redacted] and ensured they were not shot **(Lopez Homicide Transcript, page 18)**. Deputy Lopez discovered Witness [redacted] initially thought he was shot, only to discover later the sensation was just the hot shell casings from his weapon flying into the back seat and hitting Witness [redacted] on his exposed skin. At that point, Deputy Lopez knew Witnesses [redacted] and [redacted] were fine, and he suffered a single, non-severe, wound to his foot **(Lopez IAB Transcript, page 52)**.

Deputy Lopez did not think of going to the CHP station because he "wanted to get somewhere safe and just to go to the hospital." He also believed since it was 2:30 in the morning, no one would be at the front desk of the CHP station. His best option was to drive straight to the hospital **(Lopez IAB Transcript, page 52)**.

Deputy Lopez did not remember seeing any fire department apparatus or ambulances when he was near the intersection of Eastern Avenue and Cesar Chavez Boulevard **(Lopez IAB Transcript, page 50)**.

Deputy Lopez assessed his injury and determined he was only hit in the foot. He saw a hole in his shoe and blood coming from his foot. Deputy Lopez thought the injury was "nothing extreme" and a "foot shot isn't too bad." He did not feel very much pain because of all the adrenaline in his body. After assessing everyone's condition and determining they were fine, Deputy Lopez began thinking about what he would do next and "what the next plan" was. Witness [redacted] took over responsibility for driving the car and drove to White Memorial Hospital.

While en route to the hospital, Witness [redacted] called their friend "[redacted]" and told him Deputy Lopez had been shot and to meet them at the hospital. Deputy Lopez did not know why Witness [redacted] decided to call their friend [redacted] **(Lopez Homicide Transcript, pages 18, 32)**.

Deputy Lopez did not think about calling 9-1-1 after the shooting incident or before he arrived at the hospital. Deputy Lopez rationalized that since Witnesses [redacted] and [redacted] were "panicking" and "unlevel-headed" coupled with the fact he knew "more-or-less" where the incident happened and had a suspect description; his best option was to get himself to the hospital and call 9-1-1 or speak to deputies afterward **(Lopez Homicide Transcript, page 19)**. Deputy Lopez did not instruct either Witness [redacted] or [redacted] to call 9-1-1. Deputy Lopez believed calling 9-1-1 would not help because he thought if he told the deputies the incident occurred on Brannick and Folsom, and Witness [redacted] told the deputies the incident happened on "Hazard," they would have told the deputies different locations, and there would be a "whole mix-up" **(Lopez Homicide Transcript, pages 31-32)**.

Deputy Lopez explained to IAB investigators that calling 9-1-1 right after the shooting would not have helped. He believed he, Witnesses [redacted] and [redacted] all "see things differently." Deputy Lopez "saw what he saw," and they "saw what they saw," but since Witnesses [redacted] and [redacted] were "civilians…they don't know what they are talking

about" and "they don't know what they are going to do." Based on the circumstances and chaos after the incident, Deputy Lopez believed Witnesses [redacted] and [redacted] would have gotten "everything confused" had they immediately reported the incident via 9-1-1 and would not have helped their situation **(Lopez IAB Transcript, pages 54-55)**.

Upon arriving at the hospital, Witness [redacted] parked in the parking lot. Witnesses [redacted] and [redacted] assisted Deputy Lopez with walking into the hospital. Once they got inside the hospital, and after determining Deputy Lopez was a gunshot patient, hospital staff immediately brought him into the back treatment area. A security guard advised Deputy Lopez he could not keep his firearm inside the hospital. Deputy Lopez told the security guard he was a "cop" and gave his firearm to Witness [redacted] instructing him to take the round out of the chamber and remove the magazine. He further told Witness [redacted] to put the firearm in his glove compartment or to hold on to it. Deputy Lopez told Witness [redacted] he would have hospital staff call the police, and deputies would have to talk to them. Deputy Lopez told Witness [redacted] to let deputies know about the firearm once they arrive. Deputy Lopez instructed Witnesses [redacted] and [redacted] to wait outside or in the car, and he was going to have law enforcement respond and "have all this figured out" **(Lopez Homicide Transcript, page 19 / IAB Transcript, pages 55-56)**.

Deputy Lopez instructed the "doctors" to call 9-1-1 and told them he was a deputy. He instructed staff to call East Los Angeles Station because it was the closest station to where the incident occurred. Shortly thereafter, Deputy Lopez was handed the phone and spoke to a sheriff dispatcher. Within five minutes of the call, deputies arrived at the hospital.

Deputy Lopez was told by hospital staff a bullet entered his foot but did not exit. The bullet missed the bones in his foot and lodged in the fatty tissue. The bullet fragment was removed the next day during surgery **(Lopez Homicide Transcript, page 20)**.

After the incident, Witness [redacted] told him video surveillance footage of the shooting incident was posted on social media. Deputy Lopez was unsure who told Witness [redacted] about the social media video footage, nor could he recall the social media site where it was posted. Deputy Lopez said he viewed "a couple seconds" of the video footage "less than once;" however, he did not remember much about it. He was not paying attention because his foot was in pain, and he was busy speaking to people on his phone. He remembered the video showed his vehicle, the suspect shooting, and his vehicle "taking off." He could not recall if he watched the video before or after speaking to Homicide Bureau investigators on November 18, 2020 **(Lopez IAB Transcript, pages 61, 64-65)**.

IAB investigators showed Deputy Lopez the surveillance video collected by Homicide Bureau investigators and High Tech Taskforce deputies. After watching the video, Deputy Lopez believed the video titled "[redacted] showed he fired first, based on the muzzle flashes; however, Deputy Lopez still recalled the suspect firing first. Deputy Lopez also noticed muzzle flashes coming from his vehicle as he drove away;

however, he still did not remember firing his weapon while his vehicle was moving. Deputy Lopez noticed debris and dust coming off the building behind the suspect; however, he did not know if any of his rounds struck any buildings on the night of the shooting.

Deputy Lopez recalled the video titled "[redacted]" was the same video Witness [redacted] previously shown him.

Deputy Lopez told IAB investigators he was glad that during the argument with the suspect at the party, he and his friends walked away from the confrontation, allowing them to get out of that situation.

Looking back on the incident, Deputy Lopez believed he should have done several things differently. In retrospect, he would not have stopped and attempted to speak to the suspect on the street and would have left that area upon observing him. Deputy Lopez said when he stopped the vehicle to check on Witnesses [redacted] and [redacted] wellbeing, he should have called 9-1-1 sooner, told the deputies what happened, and a last seen direction of the suspect. Lastly, although none of the alcohol he consumed that evening affected him, he believed he should have used better judgment and never attended the party in East Los Angeles. He believed he should have stayed home, got sleep, and prepared for his shift the next day.

WITNESS STATEMENTS:

The following are summaries of recorded witness interviews by IAB and/or Homicide Bureau investigators. For additional information, refer to the attached transcripts and audio files.

WITNESS [redacted]

On November 15, 2020, Witness [redacted] was interviewed by Homicide Bureau Sergeants Boskovich and Bergo. The interview took place inside a conference room at East Los Angeles Station.

On November 14, 2020, Witnesses [redacted] and [redacted] rode with Deputy Lopez to Ms. [redacted] 21st birthday party. The party took place at a residence on Bonnie Beach Place in East Los Angeles.

At approximately 11:00 p.m., Witnesses [redacted] and [redacted] arrived at the party in a yellow Dodge Charger driven by Deputy Lopez. The party was attended by about 20-30 people around Ms. [redacted] age. Ms. [redacted] was hosting the party and walked in and out to check on the partygoers. The partygoers mingled outdoors, between the house and the detached garage.

Witness [redacted] consumed approximately four Pacifico beers within the first hour and a half he was at the party. After drinking those alcoholic beverages, he consumed only

water. Witness [redacted] consumed more alcohol than Witness [redacted] and Deputy Lopez. Witness [redacted] observed Deputy Lopez drinking Smirnoff and Mike's Hard Lemonade. Deputy Lopez drank slowly and was "pacing" his "beer" **([redacted] Transcript, page 41)**.

During the party, Witness [redacted] was standing with Witness [redacted] and Deputy Lopez. Witness [redacted] mentioned he and Deputy Lopez were going to leave the party to smoke a tobacco cigarette in the alley adjacent to the house. As Witness [redacted] exited the gate that led to the street, Witness [redacted] jogged behind them to catch up before the gate closed. As Witness [redacted] jogged, a male from inside the party ran after him. The male was angry and cussing. He yelled, "What the fuck's going on?" and "Get the fuck out of here." Witness [redacted] believed the male Hispanic thought he and Witness [redacted] and Deputy Lopez were going to fight because they all exited the party jogging. The male apologized when he realized his mistake. Ms. [redacted] came out and told the male that Witnesses [redacted] and [redacted] and Deputy Lopez were guests at the party.

Shortly thereafter, Witnesses [redacted] and [redacted] and Deputy Lopez all stood on the sidewalk on Bonnie Beach Place when the suspect approached them. The suspect was not an attendee of the party and appeared to be walking north from Hammel Avenue. The suspect walked past them, stopped, turned around, put on a facemask, and asked, "Do you guys bang?" Witness [redacted] ignored the comment. The suspect then asked, "Where are you guys from?" Witness [redacted] told the suspect, "Oh, we're not from nowhere." After Witness [redacted] reply, the suspect looked away from Witness [redacted] and turned around. Witness [redacted] believed the suspect might have felt disrespected by Witness [redacted] The suspect "started going off" and yelling out his gang. Witness [redacted] thought the suspect said he was from the "Geraghty [Loma]" gang **([redacted] Homicide Transcript, pages 10-11)**.

Witness [redacted] recalled the suspect had his right hand in his front sweatshirt pocket the entire time they talked. He also noticed the suspect had a "bump" on his right eye that appeared to be healing because it had a scab on it **([redacted] Transcript, pages 13-14)**.

After yelling his gang, the suspect used his left hand to point at Witness [redacted] and said, "Your homie's a bitch." Witness [redacted] believed the suspect was talking about Witness [redacted] because after Witness [redacted] told the suspect, "we don't bang," Witness [redacted] ignored the suspect. The suspect began calling Witness [redacted] "friends" a "bitch." Witness [redacted] told everyone to step aside. A male from the party appeared and told the suspect to calm down. Ms. [redacted] came out, "pulled" them inside because everyone was "panicking," and possibly believed everyone was going to start fighting. Witness [redacted] said the argument with the suspect was verbal only, and at no point did anyone get physically assaulted.

Witness [redacted] recalled many people from the party were screaming and arguing, and he became "confused" about what was happening **([redacted] Transcript, page 16)**. After Ms. [redacted] corralled the partygoers back onto the property, the suspect

continued to walk north and away from the location. Witness [redacted] apologized to Ms. [redacted] for the argument that took place. Ms. [redacted] and her [redacted] were emotional, causing Witness [redacted] to repeatedly tell them to "calm down." The party was broken up, and everyone was directed to leave the party immediately.

Witness [redacted] observed Deputy Lopez and Witness [redacted] walking to the Dodge Charger. He said goodbye to Ms. [redacted] and entered the front passenger seat of the car, which was still parked on Hammel Avenue. Deputy Lopez started the car and made an immediate left onto northbound Bonnie Beach Place. Witness [redacted] believed Deputy Lopez was going to drive back to their residence in Lincoln Heights. Deputy Lopez drove toward Floral Avenue and made a right. He then made a southbound turn on Hazard Avenue.

Witness [redacted] believed it was not Deputy Lopez' intention to look for the suspect because when he drove away from the party, they "didn't really bring up" the suspect. Instead, they began discussing driving to McDonald's, causing Witness [redacted] to believe the plan was to go to McDonald's. The plan was not to "really like going to go find someone" **([redacted] Transcript, page 30)**. Witness [redacted] knew Deputy Lopez was "weird with directions" and was "always lost and confused."

As Deputy Lopez drove south on Hazard Avenue, he saw the suspect walking north on the east sidewalk of Hazard Avenue and pointed the suspect out to Witness [redacted] Witness [redacted] told Deputy Lopez, "Oh, that's the same guy." Witness [redacted] also believed he might have observed the suspect first and pointed him out to Deputy Lopez **([redacted] Transcript, page 40)**. Deputy Lopez stopped the car in his lane of traffic, approximately 15 feet away from the suspect. Deputy Lopez asked the suspect if "everything was okay?" and "Are you good?" Witness [redacted] observed the suspect take off his face mask and begin "stuttering" unknown words before screaming the name of his gang again **([redacted] Transcript, page 41)**.

From the front passenger seat, Witness [redacted] observed the suspect pull a gun out of his sweatshirt pocket with his right hand and begin shooting in their direction. Witness [redacted] observed a muzzle flash from the suspect's weapon and heard the sound of gunfire. Witness [redacted] immediately put his head down under the dashboard in an attempt to avoid being hit with gunfire **([redacted] Transcript, pages 20-21, 25-26)**.

Witness [redacted] recalled Deputy Lopez began sliding his firearm out of his holster when the suspect reached into his pocket. He believed Deputy Lopez may have already had his hand on his gun or his gun on his lap before the suspect began shooting. Witness [redacted] was sure Deputy Lopez was "already ready" before the suspect began firing **([redacted] Transcript, pages 26-27)**.

Witness [redacted] heard Deputy Lopez begin shooting his firearm, which caused ringing in Witness [redacted] ear. Deputy Lopez' shell casing bounced back toward Witness [redacted] as he was seated in the backseat. Witness [redacted] wearing a short-sleeved shirt, felt the casings "burning" him, which caused Witness [redacted] to believe the

suspect's gunfire possibly hit him. Deputy Lopez' hot shell casings also hit Witness [redacted]

Deputy Lopez rapidly drove away from the location. Witnesses [redacted] and [redacted] repeatedly told Deputy Lopez, "Go to the hospital, go to the hospital," because Witness [redacted] believed he was shot.

Deputy Lopez drove south on Hazard Avenue, turned east on Hammel Avenue. Deputy Lopez swerved the car to the right and said, "I think I got hit in the foot." Witness [redacted] began telling Deputy Lopez to pull over so he could take over driving the car ([redacted] **Transcript, page 28)**.

Witness [redacted] believed Deputy Lopez was either "panicked" or "scared" because he continued to drive the car and would not stop as requested. Deputy Lopez turned south onto Eastern Avenue, where Witness [redacted] saw paramedics and an ambulance **([redacted] Transcript, page 28)**. Deputy Lopez drove past the paramedics and ambulance and turned east onto Cesar Chavez Avenue. Witness Lopez observed the ambulance and paramedics near the Jack in the Box restaurant on the corner of Cesar Chavez and Eastern Avenue. Witness [redacted] "thought" about stopping, but at the time, they were determined to go to a hospital. As Deputy Lopez turned onto Ford Avenue, he eventually pulled over. He and Deputy Lopez switched seats, and Witness [redacted] drove Deputy Lopez to White Memorial Hospital.

Witness [redacted] explained they did not call 9-1-1 to report the incident when they stopped to switch drivers because their priority was to get Deputy Lopez to the hospital. Witness [redacted] stated he "wasn't thinking too much" and was scared. Witness [redacted] further explained calling the "cops" was not his priority because he was more concerned with making sure Deputy Lopez was okay. Also he was still unsure if Witness [redacted] had been hit by gunfire or not **([redacted] Transcript, page 28)**.

Once Witness [redacted] arrived at White Memorial Hospital, he parked the car in the parking lot. Witnesses [redacted] and [redacted] walked into the hospital with Deputy Lopez. Both Witnesses [redacted] and [redacted] were told to wait outside the hospital due to COVID-19 restrictions. Once Deputy Lopez was inside the hospital, Deputy Lopez called Witness [redacted] and requested he come inside and retrieve his firearm. Deputy [redacted] retrieved the firearm, unloaded it, and put it in the center console of the Dodge Charger **([redacted] Transcript, pages 32-33)**.

Witness [redacted] told Homicide Bureau investigators that at 2:41 a.m., he received a call from Ms. [redacted] while driving Deputy Lopez to the hospital. Ms. [redacted] was inquiring about gunshots she heard in the area. Witness [redacted] lied to Ms. [redacted] and acted like he "didn't know what was going on" **([redacted] Transcript, pages 35-36)**. At 2:54 a.m., Ms. [redacted] used a tracking application that revealed Witness [redacted] was at the hospital. Witness [redacted] told Ms. [redacted] "the truth of what really happened."

Eventually, deputies arrived at the hospital. Witnesses [redacted] and [redacted] were later driven by deputies to the location of the incident to assist them in locating the scene of the shooting.

WITNESS [redacted]

On November 15, 2020, Witness [redacted] was interviewed by Homicide Bureau Sergeants Boskovich and Bergo. The interview took place inside a conference room at East Los Angeles Station.

On November 14, 2020, Witness [redacted] was invited to Witness [redacted] (Ms. [redacted]) house to celebrate her 21st birthday. Witness [redacted] carpooled with Deputy Lopez and Witness [redacted] They arrived at the party between 11:00 p.m. and 11:30 p.m. Deputy Lopez parked his car on Hammel Avenue, facing east, across the street from Ms. [redacted] house on Bonnie Beach Place.

Upon their arrival, approximately fifteen people were already at the location, between the garage and the house.

During the party, Witness [redacted] asked Deputy Lopez to go with him to smoke a tobacco cigarette in the alley adjacent to the property. As he and Deputy Lopez exited the gate and walked toward the alley, Witness [redacted] saw them, and began running toward them. Before Witness [redacted] could light his cigarette, and as Witness [redacted] continued jogging toward them, an unknown male from the party started yelling at Witness [redacted] The unknown male mistakenly believed Witnesses [redacted] and [redacted] and Deputy Lopez were going to fight in the alley. Witness [redacted] told the unknown male they were friends and there was "nothing to freak out about." After the misunderstanding was settled, the unknown male apologized and shook their hands.

Shortly thereafter, the suspect walked up to Witnesses [redacted] and [redacted] and Deputy Lopez. The suspect approached from Hammel Avenue and was not previously at the party. The suspect asked the group, "Hey, like, where are you guys from?" Witnesses [redacted] and [redacted] and Deputy Lopez, told the suspect, "we're not from nowhere" and "we don't live here" **([redacted] Transcript, page 6)**.

The suspect told Witnesses [redacted] and [redacted] and Deputy Lopez, he was from a gang; however, Witness [redacted] could only recall the gang's name started with a "G." He believed the gang was possibly "Geraghty." Witness [redacted] told the suspect they did not care where he was from and began to walk away from the suspect. The suspect announced, "Tell your homie he's a bitch." The comment caused a commotion, causing Ms. [redacted] to appear and she began crying. An unknown partygoer told the suspect to "kick rocks" and he was "starting something for no reason." Witness [redacted] saw the suspect walk north on Bonnie Beach Place and away from the location. The party stopped, and everyone was told to leave the location immediately.

Deputy Lopez told Witness [redacted] he believed the suspect had a gun on him. Deputy Lopez mentioned the suspect kept putting his hands in his waistband and "grabbing something." After the commotion concluded and the suspect left, Witness [redacted] heard Deputy Lopez tell people the suspect "had a gun." Deputy Lopez mentioned, "I think he had a gun" and "I know he did for a fact because he kept reaching for his waistband, he was grabbing something" ([redacted] **Transcript, pages 17-18)**.

Witnesses [redacted] and [redacted] entered Deputy Lopez' vehicle. Deputy Lopez was the driver, Witness [redacted] sat in the front passenger seat, and Witness [redacted] in the rear seat, behind Witness [redacted] They all agreed to return to their residence. Deputy Lopez drove north on Bonnie Beach Place, turned east on Floral Avenue, followed by a southbound turn onto Hazard Avenue. Witness [redacted] did not believe Deputy Lopez went looking for the suspect. Witness [redacted] recalled Deputy Lopez was not good with directions and always got lost.

As Deputy Lopez drove on Hazard Avenue, they saw the suspect walking north on the sidewalk with his hands in his sweater pockets. Deputy Lopez stopped the car, and asked the suspect, "Hey, are you good?" The suspect appeared to recognize them and began saying his "gang name" again ([redacted] **Transcript, pages 11-12)**. Deputy Lopez pulled his shirt up to expose his holstered weapon, "just in case" ([redacted] **Transcript, page 17)**. The suspect's words were mumbled; however, Witness [redacted] believed the suspect may have also mentioned his moniker. Witness [redacted] observed the suspect take a step onto the street toward the vehicle; however, he lost sight of the suspect because of the pillar in the car and the tinted windows.

As Witness [redacted] sat in the back seat, he believed Deputy Lopez and the suspect were just going to "exchange words," and they would be on their way. Witness [redacted] heard two gunshots come from the suspect's direction, causing Witness [redacted] to immediately duck down in the back seat. As Witness [redacted] was ducking, he saw Deputy Lopez pull a gun from his waistband and saw Deputy Lopez shooting his firearm four or five times ([redacted] **Transcript, page 12)**.

As Deputy Lopez fired, Witness [redacted] began screaming, "Fucking Ryan…like what the fuck." Hot shell casings from Deputy Lopez' firearm began hitting Witness [redacted] Witness [redacted] mistakenly believed he was being shot ([redacted] **Transcript, pages 12-13)**.

After Deputy Lopez stopped firing, he rapidly accelerated, causing the tires to make a screeching sound. Witness [redacted] began checking his body for injuries while telling Deputy Lopez to go to the hospital. As Deputy Lopez drove, both Witnesses [redacted] and [redacted] determined they were not shot. Deputy Lopez announced he was shot and felt pain from his foot ([redacted] **Transcript, page 13)**. Witness [redacted] reiterated to Deputy Lopez, "Dude, let's just go to the hospital, let's just go." Witness [redacted] believed waiting for an ambulance would waste time since they were already in a vehicle and close to a freeway.

Prior to entering the freeway, Deputy Lopez pulled over to switch drivers. Witness [redacted] observed Deputy Lopez' right foot was hit, and there was blood coming from his wound. Witness [redacted] assisted Deputy Lopez to the passenger seat, and Witness [redacted] assumed responsibility for driving the vehicle.

Witness [redacted] did not think about calling 9-1-1 after the shooting incident because he was "panicking" and "just wanted to get [Deputy Lopez] to the hospital because of his foot injury. Witness [redacted] believed they should just get to the hospital as soon as possible and call the police from there **([redacted] Transcript, page 19)**.

ADDITIONAL INTERVIEWS:

The following persons were interviewed by Homicide Bureau and/or IAB investigators regarding the incident. The following persons did not witness the deputy-involved shooting; however, they provided additional details related to the shooting incident.

[redacted]

On April 23, 2021, [redacted] (Mr. [redacted]) was interviewed telephonically by an IAB investigator.

On November 15, 2020, Mr. [redacted] worked at White Memorial emergency room as an [redacted] assisting nurses and physicians. Between 2:00 a.m. and 3:00 a.m., Mr. [redacted] was notified by the front desk in the triage area that a gunshot wound victim (Deputy Lopez) presented himself to the front window and was going to be brought back into the emergency room. Mr. [redacted] was also told Deputy Lopez was dropped off by friends. Someone from the triage desk notified Mr. [redacted] the incident occurred in East Los Angeles, and he was tasked with notifying the appropriate local law enforcement agency. Notifying law enforcement was standard protocol anytime a gunshot wound victim arrived at the hospital.

Approximately five to ten minutes later, Mr. [redacted] approached Deputy Lopez' emergency room bed to gather more information to determine an exact location and the appropriate law enforcement agency to call. Mr. [redacted] noticed a firearm and badge by Deputy Lopez' bedside and discovered for the first time he was a deputy sheriff. Mr. [redacted] immediately advised Deputy Lopez weapons were not allowed in the emergency room, and he would have to call someone to retrieve the firearm from him. Mr. [redacted] also notified hospital security.

Mr. [redacted] called East Los Angeles Station based on information from a nurse or technician that the incident occurred in East Los Angeles. Deputy Lopez could not provide an exact location but told Mr. [redacted] the incident occurred in East Los Angeles Station's jurisdiction.

Deputy Lopez told Mr. [redacted] he was in an altercation at a group outing with friends when someone pulled out a firearm. Deputy Lopez told Mr. [redacted] he returned fire

with his firearm. Mr. [redacted] could not remember if Deputy Lopez told him about the incident before or after he called East Los Angeles Station.

Mr. [redacted] did not notice any signs or symptoms of Deputy Lopez being under the influence of alcohol; however, he did noticed Deputy Lopez appeared to be a "little flustered," "worked up," and "out of it." Mr. [redacted] concluded Deputy Lopez was a "very respectful gentleman" who never avoided answering questions or speaking with hospital staff [redacted] **Transcript, page 5)**.

Mr. [redacted] attempted to locate and speak with the two friends (Witnesses [redacted] and [redacted]; however, he could not locate them.

Following his call to East Los Angeles Station, Mr. [redacted] noticed numerous deputies arrived at the hospital and contacted Deputy Lopez.

DEPUTY JAIME ROBLES

On March 30, 2021, Deputy Jaime Robles was interviewed by IAB investigators at the IAB offices in the City of Commerce.

Deputy Robles had been a deputy since December of 2016 and was assigned to East Los Angeles Station since January of 2019. On November 15, 2020, Deputy Robles worked with Deputy Andrew Alatorre as Unit 21 on the early morning shift.

At approximately 2:50 a.m., he and Deputy Alatorre received a call regarding a gunshot victim at White Memorial Hospital. After receiving the call, they drove to the hospital and contacted Deputy Lopez in the emergency room.

Deputy Lopez told Deputy Robles he was an off-duty deputy and involved in a shooting incident. Deputy Robles' main concern was eliciting information from Deputy Lopez regarding where the shooting took place to assist East Los Angeles Station deputies in securing the crime scene and looking for evidence and witnesses.

While at the hospital, Deputy Robles was told by a nurse Deputy Lopez had a gunshot wound in his ankle. Deputy Robles recalled Deputy Lopez maintaining a calm demeanor while he was speaking to him. Deputy Lopez was cooperative and answered all of Deputy Robles' questions; however, he seemed confused about where the shooting incident happened **(Robles Transcript, page 12)**.

Deputy Lopez told Deputy Robles he was in a verbal argument with the suspect before the shooting incident. Deputy Lopez did not elaborate on the nature of the argument. Deputy Lopez told Deputy Robles he and Witnesses [redacted] and [redacted] were "parked talking" when the suspect walked up to his vehicle and began shooting **(Robles Transcript, page 7)**. Deputy Lopez told Deputy Robles the cross streets of where he believed the shooting occurred; however, the location Deputy Lopez gave was later determined to be incorrect. Deputy Robles did not believe Deputy Lopez attempted to

mislead him, but thought Deputy Lopez was simply mistaken as to where the location of the shooting actually was. Deputy Robles later discovered the actual location of the shooting was one block west of where Deputy Lopez indicated initially. Deputy Lopez also provided Deputy Robles with the suspect's description. Deputy Lopez said he drove himself to the hospital, and his friends were waiting outside with the car. Additionally, he advised Deputy Robles his firearm was in his vehicle and had already been "rendered safe."

Deputy Robles provided updates to assisting East Los Angeles Station units via cellphone because his portable radio did not have reception inside the emergency room. Deputy Robles estimated he could provide necessary information regarding a suspect description and possible location within fifteen minutes of receiving the call for service.

Deputy Lopez did not display any signs or symptoms indicating he was intoxicated, nor did Deputy Robles smell any odor of alcohol.

Deputy Robles briefly interviewed Witnesses [redacted] and [redacted] Their accounts of the incident were consistent with Deputy Lopez. Both Witnesses [redacted] and [redacted] said they were sitting in their vehicle talking amongst themselves when the suspect approached them. Witnesses [redacted] and [redacted] did not appear to be intoxicated when providing their statements to Deputy Robles. Both Witnesses [redacted] and [redacted] remained completely cooperative throughout the investigation.

Deputy Robles observed Deputy Lopez' Dodge Charger in the parking lot of White Memorial Hospital approximately 20-25 yards from the emergency room entrance. Deputy Robles observed a bullet hole in the lower driver's door. Deputy Robles observed Deputy Lopez' firearm inside the vehicle.

East Los Angeles Station deputies had trouble finding the scene of the shooting incident. Deputy Robles coordinated with assisting units to have Witnesses [redacted] and [redacted] attempt to "point out" where the shooting incident occurred.

Deputies Robles and Alatorre made notifications and remained at the hospital pending the arrival of Homicide Bureau investigators and Scientific Services Bureau representatives.

Deputy Robles authored the incident report (SH-R 49) in this case **[Exhibit A]**.

Deputy Robles received a separate call for service regarding an illegal shooting in the same general vicinity prior to receiving the gunshot victim call involving Deputy Lopez. He and assisting units canvassed the area but were unable to locate any evidence of a crime at that time.

Deputy Robles told IAB investigators he was wearing a body-worn camera on the day of this incident; however, he did not activate it when he interviewed Deputy Lopez in the hospital because he recently been issued the camera and forgot to turn it on.

DEPUTY ANDREW ALATORRE

On April 1, 2021, Deputy Andrew Alatorre was interviewed by IAB investigators at the IAB offices in the City of Commerce.

Deputy Alatorre has been a deputy sheriff since October of 2007. He was assigned to East Los Angeles Station since August of 2013. On November 15, 2021, he worked with Deputy Robles as Unit 21 on the early morning shift. At approximately 2:59 a.m., he and Deputy Robles received a gunshot victim call. The call stated the victim was at White Memorial Hospital.

Approximately 10-15 minutes later, he and Deputy Robles arrived at the hospital. Nursing staff immediately guided them to Deputy Lopez in the emergency room. Deputy Alatorre was told by hospital staff that Deputy Lopez was in stable condition. Deputy Alatorre observed Deputy Lopez in a patient gown with an apparent gunshot wound to his foot. Prior to speaking to Deputy Lopez, they had no idea the victim was a deputy sheriff.

> **IAB Note:** **During Deputy Alatorre's IAB interview, he mistakenly believed Deputy Lopez' gunshot wound was to his left foot.**

Deputy Lopez told Deputy Alatorre he was a deputy sheriff assigned to Twin Towers Correctional Facility. Deputy Lopez explained to Deputy Alatorre he was at a party on Bonnie Beach Place when he, Witnesses [redacted] and [redacted] were confronted by the suspect and decided to leave. Deputy Lopez believed the suspect was a gang member from the "Lott" gang in East Los Angeles. Deputy Lopez and the suspect exchanged words and went their separate ways. Deputy Lopez, and Witnesses [redacted] and [redacted] were in his vehicle after leaving the party when the suspect approached them on foot and the shooting occurred **(Alatorre Transcript, page 6)**.

Deputy Alatorre spoke to Witnesses [redacted] and [redacted] in the parking lot by Deputy Lopez' vehicle. Deputy Alatorre believed Deputy Lopez', Witness [redacted] and Witness [redacted] statements about where the incident occurred were "kind of inconsistent" because they were unfamiliar with the area **(Alatorre Transcript, page 6)**. Neither Witness [redacted] nor Witness [redacted] appeared intoxicated. Both were cooperative during the investigation.

Deputy Alatorre located Deputy Lopez' Smith & Wesson firearm in the center console of his vehicle. Deputy Lopez' vehicle was parked approximately 50 yards from the emergency room entrance. Deputy Alatorre noticed two bullet holes on the quarter panel of the vehicle. One of the bullet holes appeared to be in a location consistent with where Deputy Lopez' foot was struck.

Deputies Alatorre and Robles remained at the hospital until Department executives and Homicide Bureau investigators arrived. Deputy Alatorre estimated an hour and a half passed between the time they received the call and when assisting deputies were able to locate the scene of the shooting. The location was eventually discovered by driving Witnesses [redacted] and [redacted] into the area to point out where they believed the shooting occurred.

Deputy Alatorre was wearing a Department-issued body-worn camera on the day of the incident. Deputy Alatorre did not record his interviews at White Memorial Hospital because of patient-doctor privilege and confidentiality inside the treatment areas of the hospital.

[redacted]

On November 15, 2020, [redacted] was interviewed by Homicide Bureau Sergeants Boskovich and Bergo.

On November 14, 2020, Ms. [redacted] celebrated her 21st birthday at her house in East Los Angeles by throwing a party for close friends. Ms. [redacted] lived with her [redacted] and [redacted] The party had approximately 18 attendees, all of whom were friends of hers. Most of the partygoers were around 21 years old.

Ms. [redacted] of five months (Witness [redacted]) was invited to the party along with his two friends, Deputy Lopez and Witness [redacted] Deputy Lopez and Witnesses [redacted] and [redacted] arrived between 10:00 p.m. and 10:30 p.m. All three were completely sober when they arrived in Deputy Lopez' yellow Dodge Charger. Ms. [redacted] had prior knowledge Deputy Lopez was a deputy sheriff, but she did not think any of her friends at the party knew he was a deputy sheriff.

Ms. [redacted] served beer at her party. She remembered Witness [redacted] drank at the party, but was unsure if Witness [redacted] or Deputy Lopez were drinking because one of them was responsible for driving home.

During the party, Ms. [redacted] was told a "random guy" (suspect) approached Witnesses [redacted] and [redacted] and Deputy Lopez, asking them where they were from.

Ms. [redacted] was away from where the confrontation took place and did not see what happened between the suspect and Deputy Lopez and Witnesses [redacted] and [redacted] Ms. [redacted] never saw the suspect. After the confrontation concluded, Witness [redacted] told her the suspect "came and started telling them stuff." Ms. [redacted] asked everyone at the party to leave.

Within five minutes of Ms. [redacted] request, almost all the party guests left the location, including Witnesses [redacted] and [redacted] and Deputy Lopez. Ms. [redacted] estimated everyone left the party between 2:00 a.m. and 2:30 a.m.

Ms. [redacted] recalled "just a little after" 2:30 a.m., she called Witness [redacted] to make sure he was going home. Witness [redacted] told her he was taking Deputy Lopez to the hospital. Witness [redacted] did not elaborate about what happened, but she later learned the same "random guy" from the party shot Deputy Lopez ([redacted] **Transcript, pages 8-9**).

IAB Note: **Several hours prior to Ms. [redacted] interview with Homicide Bureau investigators, she was briefly interviewed by East Los Angeles Station deputies who responded to [redacted] That brief interview was consistent with the Homicide Bureau interview. The interview was recorded on a body-worn camera and documented in a supplemental report authored by Deputy Carbajal [Exhibit H/Body-Worn Camera Interview].**

[redacted]

On November 15, 2020, Mr. [redacted] was interviewed by Homicide Bureau Sergeants Boskovich and Bergo.

Mr. [redacted] was at Ms. [redacted] house during the early morning hours of November 15, 2020. Mr. [redacted] had been at another location drinking prior to his arrival, and had "a good buzz going" and was already "drunk."

Mr. [redacted] could not recall much detail about the evening; however, he remembered overhearing the suspect ask Witnesses [redacted] and [redacted] and Deputy Lopez, "Where are you guys from?" Mr. [redacted] recalled someone reply, "We don't bang." Shortly after, Ms. [redacted] got scared and started yelling. Mr. [redacted] began cussing and telling everyone to "get the fuck out" and to leave the party. Mr. [redacted] recalled the suspect walking away.

Mr. [redacted] told Homicide Bureau investigators he had little recollection of the confrontation at the party due to his alcohol impairment.

SUSPECT STATEMENTS:

The suspect has not been identified or located.

ADDITIONAL INFORMATION

On November 15, 2020, at approximately 2:27 a.m., East Los Angeles Station began receiving anonymous calls regarding gunshots being heard in the areas near Dozier Street and Record Avenue and the 800 block of Hazard Avenue. At least five East Los Angeles Station patrol units responded and canvassed the area. At 2:48 a.m., the handling unit cleared the call, indicating they could not locate the source of the gunfire.

Those calls were documented under East Los Angeles Station incident history report number ELA20320-0039 **[Miscellaneous Documents]**. Audio recordings of those 9-1-1 calls were obtained by IAB investigators and included with the shooting review **[Exhibit H/9-1-1 call audios]**.

Homicide Bureau investigators interviewed the following people, who did not witness the deputy-involved shooting incident, but may have information related to the criminal case: [redacted] (heard gunshots), [redacted] (heard gunshots and the sound of a speeding car), [redacted] (heard gunshots), [redacted] (attempted to identify the suspect). Those interviews were audio-recorded by Homicide Bureau investigators **[Exhibit H/Misc. Homicide Interviews]**.

Shortly before 6:00 a.m. on November 15, 2020, Deputies Joe Carbajal, #[redacted] and Xavier Zeas, #[redacted] responded to [redacted] Deputies Carbajal and Zeas briefly spoke to the residents, whom included Ms. [redacted], Ms. [redacted] Mr. [redacted] and Ms. [redacted]. None of the indicated people witnessed the deputy-involved shooting; however, they provided limited details regarding the incident at the birthday party which preceded the shooting. Their interaction with East Los Angeles deputies was recorded on body-worn camera **[Exhibit H/BWC Footage]**. The following is a brief synopsis of those interactions.

Ms. [redacted] told deputies she hosted the party for her [redacted] She remained inside the residence for the entirety of the gathering. Between 1:30 a.m. and 2:00 a.m., there was an argument in the yard where the party was taking place. Upon hearing the argument, she exited the residence and observed approximately ten people arguing, causing her to believe a fight was pending. Based on the darkness, she could not see who was arguing, nor could she make out everything that was being said. She heard different voices saying, "What's up, fool," in what could be described as a challenging manner. Due to the argument, she asked all the guests to leave. Everyone involved in the argument left the location. Approximately five minutes later, she heard gunshots in the area; however, she did not know who was shooting. This interview was recorded on a body-worn camera **[Exhibit H/BWC Footage]** and summarized in a supplemental report authored by Deputy Carbajal **[Exhibit A]**.

Ms. [redacted] was briefly interviewed. On November 14, 2020, she hosted a gathering for her 21st birthday. At some point, an argument broke out. She was not present for the argument, but was later told a "random person" showed up who "was not welcomed" and whom she did not know. The unknown person began arguing with her friends (Deputy Lopez and Witnesses [redacted] and [redacted]. The party was broken up, and everyone left. After everyone left, she was later advised by Witness [redacted] via phone, about what happened. This interview was recorded on a body-worn camera **[Exhibit H/BWC Footage]** and summarized in a supplemental report authored by Deputy Carbajal **[Exhibit A]**.

IAB Note: Later in the day, Ms. [redacted] was interviewed by

Homicide Bureau investigators for additional details. Her Homicide Bureau interview was transcribed and included with the shooting review [redacted] Transcript].

Mr. [redacted] and Ms. [redacted] said they did not see or hear anything and could not provide Deputies Carbajal and Zeas with any pertinent information. Their conversations with deputies were recorded on body-worn cameras **[Exhibit H/BWC Footage]**.

The Los Angeles County Fire Department provided IAB investigators with a Public Incident Report and Prehospital Care Report, dated November 15, 2020. On November 15, 2020, at 2:10 a.m., Los Angeles County Fire Department Engine #1, Squad #3, and an ambulance were dispatched with lights and sirens to [redacted] regarding an unrelated medical emergency call. Fire Department Squad #3 arrived at 2:15 a.m. and Engine #1 arrived at 2:17 a.m. Both the squad and the engine did not clear the location until after 2:30 a.m. **[Miscellaneous Documents]**.

IAB Note: [redacted] was located just [redacted] of the intersection of Eastern Avenue and Cesar Chavez Avenue. According to Google Maps, this location is located [redacted] miles away from the shooting location and along the route described taken by Deputy Lopez and Witness [redacted] after the shooting occurred.



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE



ALEX VILLANUEVA, SHERIFF

September 27, 2021

Mr. Ryan Lopez, #[redacted]

[redacted]

Dear Mr. Lopez:

You are hereby notified that you are released from your probationary position of Deputy Sheriff, item number 2708A, with this Department effective the close of business Monday, September 27, 2021.

This action is based upon the Unsatisfactory, "Report on Probationer," including the supporting documentation, which references your actions and/or decisions relating to an off-duty incident where you consumed alcohol, discharged your duty weapon, and failed to make timely notifications.

You will be given an opportunity to establish a formal record of the evidence which would tend to show that the allegations are false or that mitigating circumstances should be taken into consideration. If you wish to provide such evidence at a Liberty Interest Hearing, you may do so by appearing before Acting Captain (A/Captain) Yvonne I. O'Brien at Sheriff's Personnel Administration Bureau, 211 West Temple Street, 4th Floor, Los Angeles, California 90012, on Wednesday, October 13, 2021, at 2:00 p.m.

Due to the COVID-19 pandemic, you will have the choice of attending this meeting in person or remotely. You may attend this meeting via telephone by calling (323) 676-6169, and entering access code [redacted] If you prefer to attend via video conference, please contact A/Captain O'Brien's office at [redacted] and a link to Microsoft Teams will be sent to you via email.

The Department will submit the, "Report on Probationer," and all supporting documentation (enclosed with this letter) to A/Captain Yvonne I. O'Brien. You

will have the opportunity to present witnesses to refute any conclusions of that performance evaluation or to support your contentions.

The hearing will be tape-recorded and the tape will be retained by the Department consistent with its business practices. You may also tape-record the hearing. If you desire a transcript of the hearing, it is your responsibility to obtain one, at your cost. If you desire to have a court reporter at the hearing, the Department has no objection provided that it has the opportunity to order a copy of any transcript ordered by you. All costs associated with obtaining a court reporter will be your responsibility.

Ultimately, A/Captain O'Brien will make a finding on the contentions raised by you. She may recommend that: (1) there be no change in the decision; (2) that your name be, "cleared," of misconduct, the document demonstrating that your name has been, "cleared," submitted to your personnel file, and that you be allowed to continue as a Deputy Sheriff. A/Captain O'Brien's findings and recommendations are subject to review by Department executives. If you do not appear before A/Captain O'Brien on Wednesday, October 13, 2021, either in person or via telephone or video conference, you will have waived your right to respond which will not change the imposition of the aforementioned release.

You may appeal this decision by submitting a letter to the Department of Human Resources, containing specific detailed information upon which this appeal is based. Such written responses must be filed online and must be received by the Appeals Program within 15 business days from the date this notice was served to you or from the postmark date on the envelope in which this notice was mailed by using this web address: https://eappeals.lacounty.gov. For technical support related to online appeal submissions go to: https://apps.hr.lacounty.gov/eAppeal/.

Sincerely,

ALEX VILLANUEVA, SHERIFF

BRENDAN J. CORBETT
ASSISTANT SHERIFF

SH-AD-32A (8/17)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service Since 1850"

DATE: September 16, 2021

FILE NO.: IV 2535430

DISPOSITION SHEET

FROM: DANIEL J. DYER, ACTING CHIEF
CUSTODY SERVICES DIVISION
SPECIALIZED PROGRAMS

TO: RONALD W. KOPPERUD, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: RYAN D. LOPEZ, #[redacted]
DEPUTY SHERIFF GENERALIST
TWIN TOWERS CORRECTIONAL FACILITY

Upon consideration of the facts developed in this investigation, I have determined that Subject Ryan D. Lopez be released from his probationary position as a deputy sheriff for the reasons set forth in the attached documentation.

TANIA E. PLUNKETT, CAPTAIN

9-22-21
DATE

CASE REVIEWED BY:

JASON P. WOLAK, COMMANDER

9-22-21
DATE

DANIEL J. DYER, ACTING CHIEF

9-22-21
DATE

The facts in this investigation **support** the following charges:

1. That in violation of the Department's Manual of Policy and Procedures sections 3-01/030.05, General Behavior; and/or 3-01/050.10, Performance to Standards; and/or 3-01/050.30, Off-Duty Incidents, on or about November 15, 2020, while off-duty and assigned to Twin Towers Correctional Facility as a Deputy Sheriff, Subject Ryan Lopez brought embarrassment upon himself, and/or the Los Angeles County Sheriff's Department when he failed to perform to standards established for his position as a deputy sheriff by failing to take appropriate action, as evidenced by, but not limited to the following:

    a. failing to notify local law enforcement after encountering a hostile male, who he believed to be a possible armed gang member; and/or,

    b. failing to notify local law enforcement after engaging in an exchange of gunfire with an armed suspect in a residential neighborhood; and/or,

    c. failing to immediately notify the Department of his involvement in an off-duty incident.

<u>SUMMARY:</u>

On or about November 15, 2020, at approximately 2245 hours, Subject Ryan Lopez attended a party at Ms. [redacted] residence located at [redacted] in the unincorporated area of East Los Angeles. Subject Lopez attended the party with two of his friends, Mr. [redacted] and Mr. [redacted] Subject Lopez stated while he was at the party, he drank three (3) and a half (½) alcoholic beverages, each of which contained five (5) percent alcohol by volume (ABV). Subject Lopez began drinking at approximately 2320 hours. Subject Lopez said he drank throughout the time he was at the party, a period of approximately three (3) hours.

At approximately 0200 hours, Subject Lopez and Mr. [redacted] and Mr. [redacted] went to an alleyway near the residence to urinate. At this time, Subject Lopez and Mr. [redacted] and Mr. [redacted] were confronted by an unidentified male Hispanic, in the alleyway. The male inquired if they were gang members by asking Subject Lopez, Mr. [redacted], and Mr. [redacted] "Where are you guys from? You fools bang, or what?"

Subject Lopez ignored the unidentified male's inquiry; however, Mr. [redacted] and Mr. [redacted] replied to the male, "We don't bang." After a brief verbal exchange, the male called Mr. [redacted] a "bitch," which upset Subject Lopez. Subject Lopez raised his voice and argued with the male. The argument caused a commotion,

which caused guests from the party to believe a fight was about to ensue. Numerous guests went to the alley to intervene. An unknown person escorted Subject Lopez away from the alley and back to the patio of Ms.[redacted] residence. The male remained in the alley. Subject Lopez was unaware of where the male went after he left.

Shortly after the verbal altercation, Ms. [redacted] became distraught. Ms. [redacted] believed there was a "hit on her house" by gang members, because of the confrontation. Ms.[redacted] told everyone at the party to leave. Subject Lopez, Mr.[redacted] and Mr.[redacted] left the party and returned to Subject Lopez' vehicle, which was parked facing eastbound on Hammel Avenue near the T-intersection of Bonnie Beach Place. As Subject Lopez left the location, he turned northbound on Bonnie Beach Place, instead of driving his vehicle eastbound to the main street of Hazard Avenue. Subject Lopez stated he told Mr. [redacted] and Mr. [redacted], "Let's just clear our heads" and "Let's take a drive real quick." Subject Lopez denied that he was driving around with the intent of locating the unidentified male and stated he was driving around, because he was unfamiliar with where he was going.

A few minutes after leaving the party, Subject Lopez turned south onto Hazard Avenue from Fairmount Avenue. Once on Hazard Avenue, Subject Lopez recognized the unidentified male, who was now walking northbound on Hazard Avenue, on the eastern sidewalk. Subject Lopez stopped his vehicle adjacent to where the male was standing. Subject Lopez attempted to have a conversation with the male to "just squash everything." Subject Lopez believed the male recognized him and the male began to yell obscenities towards him. Subject Lopez continued to try and deescalate the situation when the male yelled, "Lott gang, putos" and took a shooting stance behind a car parked along the sidewalk.

The unidentified male fired approximately four (4) rounds towards Subject Lopez' vehicle. Fearing for his life, and those of Mr.[redacted] and Mr.[redacted], Subject Lopez drew his duty weapon and fired nine (9) shots back towards the male. Mr. [redacted] and Mr.[redacted] yelled at Subject Lopez to drive away. Subject Lopez accelerated southbound on Hazard Avenue and proceeded to make a series of turns in an effort to avoid being followed and to get to somewhere safe.

At one point, Subject Lopez stopped near the California Highway Patrol (CHP) East Los Angeles Station, but he felt there would be no one at the desk and that it was safer to go directly to the hospital. Subject Lopez exited the vehicle and checked on the welfare of Mr.[redacted] and Mr.[redacted] Subject Lopez felt pain to his right foot. He looked down and saw he had been shot in his right foot. Once Subject Lopez confirmed Mr. [redacted] and Mr. [redacted] were not injured, he told Mr. [redacted]

to drive him to the hospital. Subject Lopez said he made this decision to go straight to the hospital, because he believed his wound was "nothing extreme."

Subject Lopez, Mr. [redacted], and Mr. [redacted] arrived at Adventist Health White Memorial (White Memorial Hospital) and subsequently an Emergency Room Technician contacted the East Los Angeles Sheriff's Station to report a deputy was being treated for a gunshot wound. Deputies from the East Los Angeles Sheriff's station responded and contacted Subject Lopez in the Emergency Room.

It was later determined one of the suspect's rounds pierced the driver's side door and subsequently struck Subject Lopez in the right foot. Mr. [redacted], who was in the back seat of the vehicle, also believed he was struck by a bullet; however, it was determined to be one of the hot shell casings ejected from Subject Lopez' firearm. Subject Lopez was unaware if any of his rounds struck the suspect and the suspect was never located nor identified.

Subject Lopez made no notifications to any law enforcement agencies regarding his initial contact with the unidentified male, or after he was involved in an off-duty deputy involved shooting. Additionally, Subject Lopez directed Mr. [redacted] and Mr. [redacted] to not call 9-1-1, because he believed they would get everything confused.

DISCIPLINE ASSESSMENT

Review of Applicable "Guidelines for Discipline" Sections

The Department's "Guidelines for Discipline" ***(Revised August 1, 2020)*** lists the following analogous misconduct with associated disciplinary penalties:

POLICY VIOLATION	DISCIPLINE RANGE
General Behavior	Written Reprimand to Discharge
Performance to Standards	Written Reprimand to Discharge
Off-Duty Incidents	Written Reprimand to Discharge

Assessment of Mitigating and Aggravating factors

Severity of Infraction

Department members are expected to carry themselves on and off-duty, in a manner that does not lend itself to embarrassment. Personnel are expected to follow applicable

laws, regulations, and orders. Subject Lopez did not follow established protocols or procedures, nor did he adhere to basic officer safety standards. Subject Lopez did not report being confronted by the unidentified male, who he believed to be an armed gang member, to the East Los Angeles Sheriff's station or any law enforcement agency. Subject Lopez additionally drove around a neighborhood, which he claimed he was unfamiliar with, after the confrontation with the unidentified male. Upon locating the male Subject Lopez initiated contact, rather than driving past or away from the male, who was likely unaware that Subject Lopez, Mr.[redacted], and Mr.[redacted] were in the car.

Furthermore, Department members are expected to act with due care for themselves, the safety of others, and the overall community. The act of discharging a firearm is an inherently dangerous event that poses a threat to not only the intended target, but also those who may be nearby. Subject Lopez fired numerous rounds from his Department issued handgun in a residential area and was unaware if the suspect was hit, nor where his rounds may have struck. Subject Lopez' delay in reporting this incident not only undermined any potential investigation into the shooting, but also put the community as a whole in danger. Subject Lopez had numerous opportunities to notify law enforcement by either calling them himself or having Mr. [redacted] and Mr. [redacted] call to advise of the shooting.

Aggravating Factors

Subject Lopez was in possession of his duty-weapon, while he was consuming alcoholic beverages. Furthermore, Subject Lopez admitted the suspect was a possibly armed gang member, yet made no attempt to contact law enforcement regarding his observations, nor make notification of his contact. Subject Lopez drove around the neighborhood to "clear" his mind yet upon locating the unidentified male, Subject Lopez choose to again interact with a potentially armed gang member in order to "squash everything."

Subject Lopez' decision to not make notifications following the shooting seemed to be based on his perception that his injuries were minor and that no one else in the car with him was injured. However, Subject Lopez failed to account for the unidentified male being potentially shot, or any other possible bystanders that could have been hit by the exchange of gunfire in a residential neighborhood.

Mitigating Factors

There are no mitigating factors.

Intent, Truthfulness, and Acceptance of Responsibility

Although, Subject Lopez did not initially report the incident to the Department, he did cooperate with the investigation. He accepted partial responsibility for his actions, and answered investigator's questions.

Degree of Culpability

Subject Lopez is solely responsible for his actions.

Past Performance and Disciplinary History

Subject Lopez has been employed with the Sheriff's Department since December 26, 2019. Subject Lopez is currently a probationary employee and has not received a personnel performance evaluation rating.

A review of Subject Lopez' Performance Recording and Monitoring System (PRMS) profile sheet indicated no previous founded investigations.

Disposition

The following recommended discipline has been determined to be appropriate, based upon the foregoing assessment of mitigating and aggravating factors, subject to revision upon receiving Subject Lopez' response or grievance:

____ Discharge
____ Reduction in Rank
____ Removal from Bonus Position
____ Suspension with loss of pay and benefits for ____ day(s)
____ Written Reprimand
____ No discipline recommended
_X_ Other (Probationary termination / Release)